

EPSB Meeting Agenda

**EPSB Offices, 100 Airport Road, Frankfort, KY 40601
January 22, 2007**

Sunday, January 21, 2007

4:00 PM – 6:00 PM Workgroup on Setting Cut Scores
EPSB, Conference Room B

6:15 PM – 8:00 PM Informal Board Dinner at Johnny Carino's (Franklin Square,
Frankfort, KY)
NO BUSINESS WILL BE CONDUCTED

Monday, January 22, 2007

9:00 AM EST **Call to Order**

[Approval of November 20, 2006 Minutes](#) (Pages 1-12)

Open Speak

Report of the Executive Director

- A. Report from the Kentucky Department of Education (Mr. Steve Schenck)
- B. Report from the Council on Postsecondary Education (Dr. Jim Applegate)
- C. Legislative Update (Ms. Alicia Sneed)

Report of the Chair

- A. Appointment of committee to develop retreat agenda
- B. Appointments to the Kentucky Advisory Council on Internships

Committee Reports

Information/Discussion Item

- A. [16 KAR 1:030. Procedures for certificate revocation, suspension, voluntary surrender, reinstatement and reissuance, and application denial, Notice of Intent](#) (Ms. Sneed) (Pages 13-26)
- B. [16 KAR 9: . University-Based Alternative Certification Program, Notice of Intent](#) (Mr. Michael Carr) (Pages 27-40)
- C. [2006-07 Local Educator Assignment Data \(LEAD\) Report](#)
(Mr. Carr) (Pages 41-44)

- D. [16 KAR 7:010. Recommended Plan Pertaining to the December 20 and May 1 Deadlines for Resource Teacher Timesheets](#) (Ms. Cindy Owen) (**Pages 45-46**)
- E. [Report on the Year-to-Date Financial Performance of the Agency's Programs and Operations through December 31, 2006](#) (Mr. Gary Freeland) (**Pages 47-48**)

Action Items

- A. [Approval of Contracts](#) (Mr. Freeland) (**Pages 49-52**)
- B. [Lincoln Memorial University Accreditation Report](#) (Dr. Marilyn Troupe) (**Pages 53-60**)
- C. [Review of Indiana Wesleyan University's Program Status](#) (Dr. Troupe) (**Pages 61-70**)
- D. [16 KAR 6:010. Written Examination Prerequisites for Teacher Certification, Final Action](#) (Ms. Owen) (**Pages 71-88**)
- E. [16 KAR 1:040. Teachers' National Certification Incentive Trust Fund, Final Action](#) (Ms. Owen) (**Pages 89-96**)

Waivers

- A. [Exceptional Children Assignment Waivers](#) (Mr. Carr) (**Pages 97-100**)
- B. [16 KAR 5:040. Request to Waive Cooperating Teacher Eligibility Requirements, Dr. Cathy Gunn, on behalf of Ms. Johnnie Bishop](#) (Dr. Troupe) (**Pages 101-104**)
- C. [16 KAR 5:040. Request to Waive Cooperating Teacher Eligibility Requirements, Dr. Cathy Gunn, on behalf of Mr. Robert Bishop](#) (Dr. Troupe) (**Pages 105-108**)
- D. [16 KAR 5:040. Request to Waive Cooperating Teacher Eligibility Requirements, Dr. Cathy Gunn, on behalf of Ms. Mary Lyn Odicta](#) (Dr. Troupe) (**Pages 109-112**)

Alternative Route to Certification Applications

- A. [Ms. Leonor Garnett, Adjunct for Spanish, Grades P-12](#) (Mr. Carr) (**Pages 113-114**)
- B. [Ms. Meredith Lewis, Vocal Music, Grades P-12](#) (Mr. Carr) (**Page 115**)

Board Comments

Following a motion in open session, it is anticipated that the Board will move into closed session as provided by KRS 61.810 (1) (c) and (1) (j).

Certification Review and Revocation: Pending Litigation Review

Following review of pending litigation, the Board shall move into open session. All decisions will be made in open session.

Adjournment

Next Regular Meeting:
EPSB Board Room, 100 Airport Road, 3rd Floor
March 19, 2007

The actions delineated below were taken in open session of the EPSB at the November 20, 2006, regular meeting. This information is provided in summary form; an official record of the meeting is available on tape in the permanent records of the Education Professional Standards Board (EPSB), 100 Airport Road, 3rd Floor, Frankfort, KY 40601.

Education Professional Standards Board (EPSB)
Summary Minutes of the Business Meeting
EPSB Offices, 100 Airport Road, 3rd Floor
Frankfort, Kentucky
November 20, 2006

Members Present:

Lonnie Anderson
Jim Applegate (for Tom Layzell)
Jim Cibulka
Frank Cheatham
Sam Evans
Jennifer Forgy
Kristin Gregory
Kent Juett
Zenaida Smith
Tom Stull
Lorraine Williams
Cynthia York

Members Absent:

Ann Carty
Lydia Coffey
Rita Presley
Steve Schenck (for Kevin Noland)

Call to Order

Chairman Tom Stull convened the meeting at 9:05 am EST.

Amendment of the November 20, 2006 Agenda

Motion made by Dr. Frank Cheatham, seconded by Dr. Sam Evans, to amend the agenda to remove the open meeting training.

Vote: *Unanimous*

Approval of October 23, 2006 Minutes

Motion made by Dr. Jim Cibulka, seconded by Dr. Evans, to approve the minutes of the October 23, 2006 meeting.

Vote: *Unanimous*

Open Speak

There were no requests for open speak.

Report of the Executive Director

Dr. Phillip Rogers informed the Board that due to conflicting schedules, Mr. Steven Lin chose to resign from the Board. Additionally, Ms. Ann Carty resigned due to her election loss as a school board member in the Pikeville Independent School District. Both of their contributions will be missed. The Education Cabinet is currently seeking to fill these positions.

Retreat Planning Committee

Dr. Rogers suggested to Chairman Stull that a retreat planning committee be formed to develop the agenda for the 2007 EPSB June retreat and that Vice-Chair Jim Cibulka serve as the chair of the committee.

Report from the Kentucky Department of Education (KDE)

There was no report from KDE.

Report from the Council on Post-Secondary Education (CPE)

Dr. Jim Applegate reported on the progress of the Council on Post-Secondary Education (CPE), stating that the 6th Annual Teacher Quality Summit was held in Louisville in October. The Summit focused on supplying a sufficient number of highly qualified mathematics, science, and foreign language teachers to meet the demands created by the Kentucky Board of Education's new rigorous graduation requirements.

Dr. Applegate further reported that a conference on the Improving Educator Quality State Grant Program (IEQ) took place on November 13-14. Headed by Mr. John DeAtley, this conference focused on projects taking place in Year 4 of the program.

Additionally, Dr. Applegate informed the Board that the Developmental Education Task Force will provide recommendations in January just prior to the legislative session. The focus of this task force has been to construct a comprehensive plan for improving the outcomes of postsecondary developmental education.

Finally, Dr. Applegate informed the Board that Kentucky is the only state in the nation that has implemented funding at the state level for regional stewardship. This is in an effort to oblige universities to participate in forming regional approaches to regional problems.

Report of the Chair

Appointment of Committee for Development of Guidelines for Redesigned Master's Program Approval

Chairman Stull made the following appointments to the Committee for Development of Guidelines for Redesigned Master's Program Approval: Ms. Peggy Jones, Dr. Jerry Parks, Ms. Constance Salyers, and Ms. Patricia Trotter.

Acknowledgement of Former EPSB Members

Mr. Stull recognized Ms. Linda Livers and Mr. Wilson Stone for their service to the Board and presented them with plaques. Mr. Stone stated that serving on the Board had been a wonderful experience. He advised new EPSB members to remember that teaching is stressful and to continue to extend grace to first offense teachers. He further acknowledged the higher education representatives for their great service to the Board and encouraged them to continue to put emphasis on their college graduates to ensure the utmost quality of high school graduates is attained. Ms. Linda Livers concurred with Mr. Stone. Chairman Stull stated that Mr. Stone's contribution to the Board has been significant because it brought a different perspective to the Board that can sometimes be overlooked.

Information/Discussion Items

Legislative Agenda

Ms. Alicia Sneed reported to the Board on current legislative events. At present the Education Professional Standards Board (EPSB) is not mentioned in any prefiled bills. Some prefiled bills currently monitored by EPSB staff include the refiled felony expungements bill which has been opposed by the EPSB in the past, several bills to raise the minimum wage in Kentucky, two bills requiring all Kentucky schools to use A.D. and B.C. as the only historical markers, and amendments to the sex offender registration law which will limit the sex offender's ability to enter a school. Additionally, Ms. Sneed informed new Board members that they must undergo confirmation hearings.

While the EPSB legislative liaison is ill, a backup system is being developed to ensure Board members receive bill tracking information in a timely manner. Dr. Jim Cibulka advised EPSB staff to look very closely at the upcoming recommendations of the Developmental Education Task Force as they pertain to teacher preparation programs.

Public Official's Liability Insurance

Deputy Executive Director Gary Freeland informed the Board that the EPSB entered into a public liability insurance contract on behalf of the Board. The contract process had begun prior to the implementation of the financial agreement policy in October. Since the contract must be signed by the Executive Director after the policy was implemented, EPSB staff felt it necessary to report this contract to the Board.

Update on State Plan to the United States Department of Education

Director Cindy Owen reported on the revised state plan resubmitted to the United States Department of Education (USDOE). She stated that while the primary responsibility for reporting to the USDOE belongs to the Kentucky Department of Education (KDE), EPSB staff provides data and analysis from EPSB programs that generate required information to the USDOE.

Ms. Owen further stated that KDE submitted the revised state plan to the USDOE in early July 2006. A letter dated August 15, 2006, from the USDOE to the Commissioner of Education communicated that all state plans were peer reviewed in late July. Kentucky's plan was found to have a number of serious deficiencies, including but not limited to the lack of specific steps to ensure that poor and minority children are taught at the same rates as other children by highly qualified and experienced teachers.

Ms. Owen informed the Board that to address the deficiencies in the state plan, EPSB staff worked with KDE staff to provide data and analyses for the submission of a revised state plan. KDE submitted the revised state plan in September 2006, and it has been revised since then. The EPSB does not have the current revised state plan.

Discussion ensued among Board members about their concerns with the data on highly qualified teachers. Several Board members asked EPSB staff to explore ways to collaborate with KDE to address the Highly Qualified issues.

Dr. Rogers notified the Board that the recent state plan USDOE report will be available for the Board by the January EPSB meeting.

Standard Setting Study (SSS) for the Productive Language Skills (PLS) Tests and Request for Information (RFI) for Development of an Interdisciplinary Early Childhood Education (IECE) test

Issue 1: Standard Setting Study for Productive Language Skills tests.

Ms. Jaime Rice reported to the Board on the recommendations of the June 2006 review panels for the French, German, and Spanish content knowledge tests. To clarify the recommendation, she also provided some background information.

In her report, she stated that in 2003 the EPSB hosted a review of the Spanish and French Productive Language Skills tests to determine their validity due to several complaints received in the EPSB offices. Surveyed examinees reported numerous problems with some of the testing facilities. As a result of these findings, the EPSB approved staff's recommendation to suspend the tests in June 2003.

In June 2006, the EPSB convened review panels for the German, Spanish, and French content tests. Each panel stressed the importance of measuring a prospective teacher's productive language skills and requested the EPSB a) to perform a review of the test centers' current speaking/listening facilities to identify test centers that meet acceptable requirements for administering speaking/listening tests and b) to host a Standard Setting Study and adopt the French, German, and Spanish PLS tests if they are validated, but require that they be administered at those acceptable centers only. Ms. Rice stated that staff wants to verify that the EPSB supports moving forward with the plan.

The Board was supportive of moving forward, provided there are enough adequate facilities to reinstate the test without requiring unreasonable travel time for teacher candidates throughout the state.

Issue 2: Request for Information (RFI) for Development of an Interdisciplinary Early Childhood Education (IECE) test

Ms. Owen reported that staff would like to develop a Request for Information (RFI) in an effort to find a suitable replacement for the Interdisciplinary Early Childhood Education (IECE) test. Discussion ensued. Board members expressed concern that students were taking an invalid IECE test. Ms. Owen stated that some parts of the test were valid; therefore, the review panel decided to continue with the test but search for a new test in the interim. If the test were to be discontinued, no test would be taken until a replacement test is found; therefore EPSB staff would expedite the RFI as quickly as possible in hopes that such a test exists. The primary concern the panel had with discontinuing the test was the fear of having IECE teachers not be considered to have credentials equivalent to those of other certified teachers. The Board further discussed problems teachers and schools have faced with the shortage of IECE teachers.

2006-113

Motion made by Kris Gregory, seconded by Kent Juett, to propose EPSB staff create an RFI and in the meantime suspend the current IECE test.

Vote: *Unanimous*

16 KAR 6:010. Written Examination Prerequisites for Teacher Certification, Notice of Intent

Issue 1: Amend 16 KAR 6:010 to reflect the replacement of the Praxis II Special Education: Teaching Students with Mental Retardation (0321) test, currently required for the Moderate to Severe Disabilities (MSD) certificate, with the Praxis II Education of Exceptional Students: Severe to Profound (0544) and the corresponding required passing score (cut score), and effective date

Ms. Jaime Rice reported on the need to amend 16 KAR 6:010 to reflect the Standard Setting Study's (SSS) recommendation to replace 0321 with 0544 along with the corresponding cut score and effective date. Ms. Rice stated that the SSS validated 0544 with a recommended passing score of 172, but that staff recommended a cut score of 156. In light of the panel's recommended cut score of 172, Ms. Rice shared with the Board information about the possibility of disparate impact on the African American population, the considerable number of MSD emergency certificates for the past two academic years, and the percentile range for the cut score(s). Staff's recommendation was to adopt 0544 with a cut score of 156, which is two standard errors of measurement below the panel-recommended cut score, effective September 1, 2007.

Some Board members were concerned with staff's recommendation to lower the cut score and that the EPSB was not setting rigorous standards for Kentucky graduates at 45% nationally. Ms. Rice stated that overall the test was highly approved.

In May of 1999, the Board did approve to raise the cut score not to exceed 25% or go below 15%. Board members agreed that it would be detrimental not to have African American teachers in the classrooms and suggested looking at a way to structure preparation programs so that this group is not adversely affected.

Board members asked EPSB staff to provide them with additional information before a decision was made. Dr. Rogers stated that the EPSB should research this thoughtfully. For instance, Virginia prides itself on having the highest cut scores; however Virginia has a system similar to Kentucky's emergency certificates where individuals are able to bypass taking the test. He agreed that the EPSB needs to set the bar higher.

EPSB staff plan to bring back as much information as possible to the January EPSB meeting so that the Board can make an informed decision

Issue 2: Amend to correct typographical errors in 16 KAR 6:010.

There was little discussion regarding this issue. It will be brought back as an Action Item at the January EPSB meeting.

Action Items

Request approval to authorize the executive director to enter into contracts to provide lodging for EPSB members

2006-114

Motion made by Mr. Kent Juett, seconded by Ms. Zenaida Smith, to authorize the executive director to enter into necessary contracts to provide the lodging for November 2006, January 2007, March 2007, and May 2007 EPSB Meetings.

Vote: Unanimous

Waivers

Request for Waiver of language in 16 KAR 7:010 pertaining to the May 1 deadline for Resource Teacher Timesheets

Ms. Owen reported that reminders and notices are sent electronically to district KTIP coordinators. EPSB staff will propose a plan for resource teacher timesheet payments and bring to the EPSB at the January meeting as an Information/Discussion item for further discussion.

2006-115

Motion made by Ms. Kristin Gregory, seconded by Mr. Kent Juett, to approve the waiver requests for Summit Academy, the Frankfort Christian Academy, Somerset High School, and the Kentucky Country Day School.

Vote: Unanimous

Waiver of the Cooperating Teacher Eligibility Requirements

2006-116

Motion made by Dr. Evans, seconded by Ms. Gregory, to approve the waiver request and allow Ms. Burt to be assigned a student teacher during the spring 2007.

Vote: Yes – 12

Recuse – 1 (Dr. Jim Cibulka)

Ms. Jennifer Childress - Request for Waiver of 6 New Graduate Hours for the Renewal of a Certificate

2006-117

Motion made by Dr. Cibulka, seconded by Dr. Cheatham, to approve the request and allow Ms. Childress to waive the requirement for six new graduate hours leading toward a fifth-year program.

Vote: *Yes – 11*
Abstain – 1(Dr. Evans)

Exceptional Children Teacher Assignment Waivers

2006-118

Motion made by Ms. Lorraine Williams, seconded by Mr. Juett, to approve the teaching assignment waivers as recommended by the Division of Exceptional Children Services (DECS) and EPSB staff.

Vote: *Unanimous*

Waiver of current passing scores for Art: Content Knowledge (0133), Middle School Social Studies (0089), Social Studies: Interpretation of Materials (0083), Business Education (0100), and Middle School English Language Arts (0049)

2006-119

Motion made by Dr. Evans, seconded by Mr. Lonnie Anderson, to approve the waiver of 16 KAR 6:010 to allow staff to retroactively accept the passing scores approved by the EPSB in January 2005.

Vote: *Unanimous*

Board Comments

Dr. Evans reported to the Board about a potential situation where an unqualified individual is teaching a course for a program approved by the EPSB. He asked how the Board can be made aware of these situations. Dr. Troupe reported that in between accreditation and NCATE visits, some staff may be deemed unqualified. In the past, institutions have been cited for not having adequate staff. Discussion ensued about posting staff information on the EPSB website. Dr. Rogers asked that the EPSB staff ponder this issue and bring it back for discussion at the January EPSB meeting.

Chairman Stull informed the Board that he plans to appoint a retreat planning committee at the January EPSB meeting, so please let him know if interested.

Dr. Rogers stated that excellent ideas were sent to him for the Long Term Policy Research Center research agenda. Ms. Forgey asked for the report on how teacher quality affects student performance. Overall, Board members were satisfied with the research agenda. Dr. Cibulka stated that he believes the EPSB needs a stronger research capacity within the agency. Dr. Rogers agreed, stating that other institutions may have the capacity for research and be willing to assist.

**DISCIPLINARY MATTERS:
MINUTES OF CASE REVIEW
November 20, 2006**

Motion made by Mr. Lonnie Anderson, seconded by Dr. Frank Cheatham, to go into closed session for the purpose of discussing proposed or pending litigation in accordance with KRS 61.810(c)&(j).

Vote: *Unanimous*

Motion made by Dr. James Cibulka, seconded by Dr. Sam Evans, to return to open session.

Vote: *Unanimous*

The following board members concurred with the actions as listed below with the noted exceptions:

Tom Stull, Zenaida Smith, James Cibulka, Kristin Gregory, Sam Evans, Lorraine Williams, Jennifer Forg, Cynthia York, Frank Cheatham, and Lonnie Anderson.

Attorneys present were Ryan Halloran, Alicia A. Sneed, and Gary A. Stephens.

Motion made by Ms. Zenaida Smith, seconded by Ms. Kristin Gregory, to deem Dr. Rogers' performance as executive director as successful.

Vote: *Unanimous*

INITIAL CASE REVIEW

<u>Case Number</u>	<u>Decision</u>
06-0355	Admonish (<i>Ms. Williams, recused</i>)
06-09237	Defer
06-08201	Hear
06-09226	Admonish
06-09229	Hear
06-08220	Hear
06-09230	Hear
06-06164	Hear
06-09227	Dismiss Without Prejudice
06-09238	Hear
06-07195	Hear
06-08219	Hear
06-08216	Admonish
06-09234	Hear
06-08217	Hear
06-08221	Hear
06-09225	Dismiss Without Prejudice
06-06158	Admonish
06-06167	Hear

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06-09245	Admonish
06-09233	Hear
06-09223	Admonish
06-09235	Hear
06-10250	Admonish
06-08203	Admonish
06-08218	Hear
06-08215	Hear
06-08222	Hear
06-08210	Hear

Character/Fitness Review

<u>Case Number</u>	<u>Decision</u>
06-234	Deny
06-235	Approve
06-239	Approve
06-241	Deny
06-233	Approve
06-242	Approve
06-240	Deny
06-243	Approve
06-227	Approve
06-244	Approve
06-245	Approve
06-246	Approve

Agreed Orders

<u>Case Number</u>	<u>Decision</u>
06-05105 (Jean Severs)	<p>Accept Agreed Order admonishing Respondent for conduct unbecoming a teacher. The Board reminds Respondent that she has a duty to take reasonable measures to protect the health, safety, and emotional well-being of students. There is no excuse for leaving a child unattended on the playground after a recess period, particularly a special needs child. The Board is especially concerned in the present case because of the inability of the child to fully understand the dangers that he was facing. The Board will not tolerate any further incidents of misconduct from Respondent.</p> <p>This settlement agreement is expressly conditioned upon Respondent providing written proof to the Board that she has received twelve (12) hours of professional development/training in the area of ethics, as approved</p>

by the Board, no later than June 30, 2007. Any expense incurred for said training shall be paid by Respondent. Should Respondent fail to satisfy this condition, this Agreed Order shall be deemed null and void and disciplinary action reinstated.

Vote: Unanimous

- 04-0460 (Terry Vanmeter) Accept Agreed Order suspending Respondent's certificate for a period of two (2) years beginning on April 9, 2004. Respondent shall surrender the original and all copies of his certificate that may be in his possession immediately, by first class mail or personally delivering to the Education Professional Standards Board, 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601.
- Issuance of any Kentucky Teaching Certificate to Respondent or on his behalf, at the conclusion of the two (2) year suspension is expressly conditioned upon Respondent providing written evidence that he has been evaluated by a licensed chemical dependency counselor, and that he has complied with any and all treatment recommendations of that chemical dependency counselor. This counselor must be approved by the Board. Any and all expenses incurred for said treatment shall be paid by Respondent. Failure to comply with this requirement will result in Respondent's certificate not being reinstated.

Vote: Unanimous

- 05-08133 (Jo Dunaway Hunt) Accept Agreed Order admonishing Respondent for making disparaging and inappropriate remarks to students. This Board reminds Respondent that as a professional educator, it is her responsibility to treat students with dignity and respect and consistently maintain a positive learning environment for all.
- This agreement is expressly conditioned upon Respondent providing written evidence to the Board that she has satisfied the following conditions.
1. By August 1, 2007, Respondent shall present written evidence to the Board that she has successfully completed twelve hours of professional development/training, approved by the Board, in the areas of classroom management and effective discipline techniques. Any expense for this professional development/training shall be paid by Respondent.
 2. By August 1, 2007, Respondent shall present written evidence to the Board that she has

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successfully completed nine hours of professional development/training, approved by the Board, in cultural diversity and sensitivity issues. Any expense for this professional development/training shall be paid by Respondent.

By entering into this Agreed Order, Respondent agrees that should she fail to satisfy either of these conditions, her certificate shall be automatically suspended until such time as they are met.

Vote: *Unanimous*

05-0596 (Robin Johnson)

Accept Agreed Order suspending Respondent's certificate for a period of two (2) years from the date this order is approved by the Board. Upon acceptance of this agreement by the Board, Respondent shall immediately surrender the original certificate and all copies of her certificate to the EPSB, by delivering or mailing them to 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601.

Respondent is further required to obtain a complete substance abuse evaluation by a licensed chemical dependency counselor. This counselor must be approved by the Board and Respondent must complete all treatment recommendations including aftercare and provide the Board with quarterly updates from this counselor that she is complying with the treatment recommendations. Respondent will further be subjected to random drug testing and will have to submit to a Federal/State Criminal background check before her certificate is reinstated.

Vote: *Unanimous*

06-0498 (Michael Cash)

Accept Agreed Order admonishing Respondent for inappropriate use of technology. The Board reminds Respondent that his school computer is to be used for instructional and/or district business purposes only. The computer is not be used for sending joke emails, particularly ones that contain nudity. The Board will not tolerate any further incidents of misconduct by Respondent.

This agreement is expressly conditioned upon Respondent providing written evidence to the Board that he has satisfied the following conditions.

1. Respondent must provide written proof to the Board that he has received twelve (12) hours of professional development/training in the area of ethics, as approved by the Board, no later than

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August 1, 2007. Any expense for this professional development/training shall be paid by Respondent.

2. Respondent must provide written proof to the Board that he has completed (20) hours of community service at a 501(c)(3) non-profit organization by no later than August 1, 2007.

By entering into this Agreed Order, Respondent agrees that should he fail to satisfy any of these conditions, his certificate shall be automatically suspended for a period of one year.

Vote: *Unanimous (Mr. Anderson, recused)*

04-11126 (Ralph Speakes) Accept Agreed Order Admonishing Respondent for failing to exercise prudent judgment in his interactions with female students. This Board reminds Respondent that as a professional educator, it is his responsibility to treat others with dignity and respect and consistently maintain a positive learning environment for all students.

As part of this agreement, Respondent, prior to returning to the classroom, shall provide written evidence to the Board that he has completed twelve hours of professional development/training, approved by the Board, in the areas of maintaining appropriate student/teacher boundaries and professional ethics. Any expense for this professional development/training shall be paid by Respondent. Should Respondent fail to satisfy this requirement, the Board will pursue disciplinary action for violation of this Order.

Vote: *Unanimous*

Motion made by Mr. Anderson, seconded by Dr. Cheatham, to adjourn the meeting.

Vote: *Unanimous*

Meeting adjourned at 4:30 p.m.

Next Meeting: **January 22, 2007**
 9:00AM
 EPSB Board Room
 Frankfort, Kentucky

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Information/Discussion Item A

Information Item:

16 KAR 1:030. Procedures for certificate revocation, suspension, voluntary surrender, reinstatement and reissuance, and application denial, Notice of Intent

Applicable Statutes and Regulation:

KRS 161.028, KRS 161.120, KRS 161.175

Applicable Goal:

Goal III: Every credentialed educator exemplifies behaviors that maintain the dignity and integrity of the profession by adhering to established law and EPSB Code of Ethics.

Background:

During the 2006 Legislative session, the General Assembly passed KRS 161.175 which requires teachers involved in illegal use of controlled substances to undergo mandatory drug testing. Any teacher whose certificate has been suspended or revoked by the Education Professional Standards Board for misconduct involving the illegal use of controlled substances must submit to drug testing in accordance with administrative regulations promulgated by the Board. To be in compliance with KRS 161.175, the Board needs to promulgate regulations regarding drug testing of these individuals.

The Board has required drug testing for individuals in the past and often it is a part of any agreed or final orders issued by the Board in disciplinary cases. In these cases, the Board has ordered the individual to provide written proof of a negative drug test prior to reinstatement or reissuance of the certificate. Staff has incorporated the requirements of those orders into the attached amended version of 16 KAR 1:030. These requirements are the minimum requirements an educator must meet for reinstatement or reissuance of a certificate. Neither the statute nor the draft amendment prohibit the Board from requiring additional conditions on the individual.

While amending 16 KAR 1:030 to include the requirements of KRS 161.175, staff noticed that this regulation had not been amended since 1997 and many of the procedures in the regulation had been supplanted by requirements in KRS 161.120 (which was last amended in 2000). The regulation as written no longer assists an educator in understanding the Board's procedures in disciplinary actions, but instead causes confusion. Therefore, staff has attempted to clarify the regulation by making the noted amendments.

Contact Person:

Ms. Alicia A. Sneed, Director
Division of Legal Services
(502) 564-4606
E-mail: alicia.sneed@ky.gov

Executive Director

Date:

January 22, 2007

161.120 Disciplinary actions relating to certificates -- Appeals.

(1) Except as described in KRS 161.795, the Education Professional Standards Board may revoke, suspend, or refuse to issue or renew; impose probationary or supervisory conditions upon; issue a written reprimand or admonishment; or any combination of those actions regarding any certificate issued under KRS 161.010 to 161.100, or any certificate or license issued under any previous law to superintendents, principals, teachers, substitute teachers, interns, supervisors, directors of pupil personnel, or other administrative, supervisory, or instructional employees for the following reasons:

(a) Being convicted of, or entering an "Alford" plea or plea of nolo contendere to, notwithstanding an order granting probation or suspending imposition of any sentence imposed following the conviction or entry of the plea, one (1) of the following:

1.A felony;

2.A misdemeanor under KRS Chapter 218A, 508, 509, 510, 522, 525, 529, 530, or 531; or

3.A misdemeanor involving a student or minor.

A certified copy of the conviction or plea shall be conclusive evidence of the conviction or plea;

(b) Having sexual contact as defined in KRS 510.010(7) with a student or minor. Conviction in a criminal proceeding shall not be a requirement for disciplinary action;

(c) Committing any act that constitutes fraudulent, corrupt, dishonest, or immoral conduct. If the act constitutes a crime, conviction in a criminal proceeding shall not be a condition precedent to disciplinary action;

(d) Demonstrating willful or careless disregard for the health, welfare, or safety of others;

(e) Physical or mental incapacity that prevents the certificate holder from performing duties with reasonable skill, competence, or safety;

(f) Possessing, using, or being under the influence of alcohol, which impairs the performance of duties;

(g) Unlawfully possessing or unlawfully using a drug during the performance of duties;

- (h) Incompetency or neglect of duty;
 - (i) Making, or causing to be made, any false or misleading statement or concealing a material fact in obtaining issuance or renewal of any certificate;
 - (j) Failing to report as required by subsection (2) of this section;
 - (k) Failing to comply with an order of the Education Professional Standards Board;
 - (l) Violating any state statute relating to schools or the teaching profession;
 - (m) Violating the professional code of ethics for Kentucky school certified personnel established by the Education Professional Standards Board through the promulgation of administrative regulation;
 - (n) Violating any administrative regulation promulgated by the Education Professional Standards Board or the Kentucky Board of Education; or
 - (o) Receiving disciplinary action or having the issuance of a certificate denied or restricted by another jurisdiction on grounds that constitute a violation of this subsection.
- (2) (a) The superintendent of each local school district shall report in writing to the Education Professional Standards Board the name, address, phone number, Social Security number, and position name of any certified school employee in the employee's district whose contract is terminated or not renewed, for cause except failure to meet local standards for quality of teaching performance prior to the employee gaining tenure; who resigns from, or otherwise leaves, a position under threat of contract termination, or nonrenewal, for cause; who is convicted in a criminal prosecution; or who otherwise may have engaged in any actions or conduct while employed in the school district that might reasonably be expected to warrant consideration for action against the certificate under subsection (1) of this section. The duty to report shall exist without regard to any disciplinary action, or lack thereof, by the superintendent, and the required report shall be submitted within thirty (30) days of the event giving rise to the duty to report.
- (b) The district superintendent shall inform the Education Professional Standards Board in writing of the full facts and circumstances leading to the contract termination or nonrenewal, resignation, or other absence, conviction, or otherwise reported actions or conduct of the certified employee, that may

warrant action against the certificate under subsection (1) of this section, and shall forward copies of all relevant documents and records in his possession.

(c) The Education Professional Standards Board may consider reports and information received from other sources.

(d) The certified school employee shall be given a copy of any report provided to the Education Professional Standards Board by the district superintendent or other sources. The employee shall have the right to file a written rebuttal to the report which shall be placed in the official file with the report.

(3) A finding or action by a school superintendent or tribunal does not create a presumption of a violation or lack of a violation of subsection (1) of this section.

(4) The board may issue a written admonishment to the certificate holder if the board determines, based on the evidence, that a violation has occurred that is not of a serious nature. A copy of the written admonishment shall be placed in the official file of the certificate holder. The certificate holder may respond in writing to the admonishment within thirty (30) days of receipt and have that response placed in his official certification file. Alternatively, the certificate holder may file a request for a hearing with the board within thirty (30) days of receipt of the admonishment. Upon receipt of a request for a hearing, the board shall set aside the written admonishment and set the matter for hearing pursuant to the provisions of KRS Chapter 13B.

(5) (a) The Education Professional Standards Board shall schedule and conduct a hearing in accordance with KRS Chapter 13B:

1. Before revoking, suspending, refusing to renew, imposing probationary or supervisory conditions upon, issuing a written reprimand, or any combination of these actions regarding any certificate;

2. After denying an application for a certificate, upon written request filed within thirty (30) days of receipt of the letter advising of the denial; or

3. After issuing a written admonishment, upon written request for a hearing filed within thirty (30) days of receipt of the written admonishment.

(b) Upon request, a hearing may be public or private at the discretion of the certified employee or applicant.

(c) The hearing shall be conducted before the full board, a panel of three (3) members of the board, or a person appointed as hearing officer by the board pursuant to KRS 13B.030(1).

(6) The Education Professional Standards Board or its chair may take emergency action pursuant to KRS 13B.125. Emergency action shall not affect a certificate holder's contract or tenure rights in the school district.

(7) If the Education Professional Standards Board substantiates that sexual contact occurred between a certified employee and a student or minor, the employee's certificate may be revoked or suspended with mandatory treatment of the employee as prescribed by the Education Professional Standards Board. The Education Professional Standards Board may require the employee to pay a specified amount for mental health services for the student or minor which are needed as a result of the sexual contact.

(8) At any time during the investigative or hearing processes, the board may enter into an agreed order or accept an assurance of voluntary compliance with the certificate holder.

(9) The board may reconsider, modify, or reverse its decision on any disciplinary action.

(10) Suspension of a certificate shall be for a specified period of time, not to exceed two (2) years.

(a) At the conclusion of the specified period, upon demonstration of compliance with any educational requirements and the terms set forth in the agreed order, the certificate shall be reactivated.

(b) A suspended certificate is subject to expiration and termination.

(11) Revocation of a certificate is a permanent forfeiture. The board shall establish the minimum period of time before an applicant can apply for a new certificate.

(a) At the conclusion of the specified period, and upon demonstration of compliance with any educational requirements and the terms set forth in the agreed order, the applicant shall bear the burden of proof to show that he or she is again fit for practice.

(b) The board shall have discretion to impose conditions that it deems reasonably appropriate to ensure the applicant's fitness and the protection of public safety. Any conditions imposed by the board shall address or apply to only that time period after the revocation of the certificate.

(12) An appeal from any final order of the Education Professional Standards Board shall be filed in Franklin Circuit Court in accordance with KRS Chapter 13B.

Effective: July 14, 2000

History: Amended 2000 Ky. Acts ch. 269, sec. 1, effective July 14, 2000. -- Amended 1998 Ky. Acts ch. 362, sec. 5, effective July 15, 1998; and ch. 465, sec. 2, effective July 15, 1998. -- Amended 1996 Ky. Acts ch. 318, sec. 54, effective July 15, 1996; ch. 343, sec. 7, effective July 15, 1996; and ch. 362, sec. 6, effective July 15, 1996. -- Amended 1994 Ky. Acts ch. 265, sec. 2, effective July 15, 1994; and ch. 470, sec. 2, effective July 15, 1994. -- Amended 1992 Ky. Acts ch. 182, sec. 1, effective July 14, 1992. -- Amended 1990 Ky. Acts ch. 476, Pt. II, sec. 64, effective July 13, 1990. -- Amended 1980 Ky. Acts ch. 188, sec. 119, effective July 15, 1980. -- Amended 1978 Ky. Acts ch. 56, sec. 2, effective June 17, 1978; and ch. 155, sec. 82, effective June 17, 1978. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 4502-9.

Legislative Research Commission Note (7/15/96). This section was amended by 1996 Ky. Acts chs. 318 and 343. Where these Acts are not in conflict, they have been codified together. Where a conflict exists, Acts ch. 343, which was last enacted by the General Assembly, prevails under KRS 446.250.

Legislative Research Commission Note (7/15/94). This statute was amended by 1994 Ky. Acts chs. 265 and 470, which were companion bills and are substantively identical. These Acts have been codified together. For the few minor variations between the Acts, Acts ch. 470 prevails under KRS 446.250, as the Act which passed the General Assembly last.

161.175 Teachers involved in illegal use of controlled substances.

(1) Notwithstanding any provision of the Kentucky Revised Statutes to the contrary, a teacher who has been reprimanded or otherwise disciplined by the teacher's employer because the teacher engaged in misconduct involving the illegal use of controlled substances shall, as a condition of retaining employment, submit to random or periodic drug testing in accordance with administrative regulations promulgated by the Kentucky Board of Education for a period not to exceed twelve (12) months from the date such reprimand or disciplinary action occurred.

(2) Notwithstanding any provision of the Kentucky Revised Statutes to the contrary, a teacher whose certificate has been suspended or revoked by the Education Professional Standards Board because the teacher engaged in misconduct involving the illegal use of controlled substances shall, as a condition of reinstatement or reissuance of the certificate, submit to drug testing in accordance with administrative regulations promulgated by the Education Professional Standards Board.

(3) No teacher may be subject to drug testing under this section unless and until it has been determined in an administrative or judicial proceeding that the teacher engaged in misconduct involving the illegal use of controlled substances.

(4) For purposes of this section, the term "teacher" shall mean any person for whom certification is required as a basis for employment in the public schools of the Commonwealth.

(5) Nothing in this section shall be interpreted or construed to limit the authority of the Education Professional Standards Board to impose or require additional conditions for the reissuance or reinstatement of a certificate.

(6) The administrative regulations promulgated pursuant to this section shall contain provisions that ensure due process under the law.

Effective: July 12, 2006

History: Created 2006 Ky. Acts ch. 221, sec. 4, effective July 12, 2006.

EDUCATION PROFESSIONAL STANDARDS BOARD

(Amendment)

16 KAR 1:030. Procedures for certificate revocation, suspension, voluntary surrender, reinstatement and reissuance, and application denial.

RELATES TO: KRS 161.028, ~~[161.140]~~, 161.120

STATUTORY AUTHORITY: KRS 161.028, KRS 161.175

NECESSITY, FUNCTION, AND CONFORMITY: ~~[KRS 161.040 provides that a person shall not receive or hold a teaching certificate if the person is not of good moral character.]~~ KRS 161.028 establishes the Education Professional Standards Board and authorizes the Education Professional Standards Board to establish standards and requirements for obtaining and maintaining a teaching certificate. [and 161.120 provide that the Education Professional Standards Board may suspend or revoke teaching certificates.] KRS 161.175 authorizes the Education Professional Standards Board to promulgate regulations requiring a teacher whose certificate has been suspended or revoked by the Education Professional Standards Board because the teacher engaged in misconduct involving the illegal use of controlled substances to submit to drug testing. This administrative regulation identifies the conditions for initiating a disciplinary [an] action against [to revoke or suspend] a teaching or administrative certificate and establishes procedures for certificate [revocation, suspension, voluntary surrender,] reinstatement, [and] reissuance, and application denial.

Section 1. Initiating Disciplinary Action against [to Revoke or Suspend] a Certificate. (1)
The [An action to revoke or suspend a Kentucky certificate may be initiated by the] Education Professional Standards Board may initiate a disciplinary action against a Kentucky teaching or administrative certificate [("the board")] upon receipt of a report or complaint from any source which contains allegations that an individual who holds a Kentucky teaching or administrative

1 certificate has engaged in conduct to warrant consideration for action against the certificate

2 pursuant to KRS 161.120(1). [~~of one (1) or more of the following:~~

3 ~~(a) Report of criminal prosecution for a person who is not employed in a public or private~~
4 ~~school position but who holds a Kentucky teaching certificate;~~

5 ~~—(b) Report of certificate revocation or suspension from another state;~~

6 ~~—(c) Report from a local district superintendent resulting from an unsatisfactory criminal~~
7 ~~records check as required by KRS 160.380;~~

8 ~~—(d) Report from the chief state school officer or a local board of education of the conduct of~~
9 ~~the superintendent which might reasonably be construed as grounds for revocation as set forth~~
10 ~~in KRS 161.120(1); or~~

11 ~~—(e) Report or information from other sources which might reasonably be construed as~~
12 ~~grounds for revocation as set forth in KRS 161.120(1).~~

13 ~~—(2) Failure to report by the district superintendent as required by KRS 161.120(2)(b) may~~
14 ~~constitute grounds for revocation of the superintendent's certificate.~~

15 ~~—Section 2. Investigation. (1) Upon receiving a report as identified in Section 1 of this~~
16 ~~administrative regulation or KRS 161.120(2)(b), the board shall review a summary of the~~
17 ~~report prepared by the office of its executive secretary.~~

18 ~~—(2) The board may cause an investigation relating to the cause for certificate revocation to~~
19 ~~be conducted.~~

20 ~~—(3) The board may make the determination that the report does not warrant a hearing for~~
21 ~~certificate revocation.~~

22 ~~—(4) If the board determines that a hearing is not warranted, written notice of the decision~~
23 ~~shall be forwarded to the certificate holder. A copy of the notice shall be forwarded to the party~~
24 ~~initiating the complaint.~~

1 ~~— Section 3. Revocation or Suspension Upon Voluntary Surrender. (1) The board may~~
2 ~~revoke or suspend a teaching certificate upon a voluntary surrender of the certificate.~~

3 ~~— (2) The revocation or suspension of the teaching certificate shall be for a defined period of~~
4 ~~time or for an indefinite period, and shall be according to specified terms and conditions best~~
5 ~~adapted to protect the health, welfare and safety of school children and to rehabilitate or~~
6 ~~educate the certificate holder.~~

7 ~~— (3) The executive secretary to the board, or designee, may negotiate the terms and~~
8 ~~conditions of the revocation or suspension upon voluntary surrender.~~

9 ~~— (4) A revocation or suspension upon voluntary surrender shall not be final until approved~~
10 ~~by the board.~~

11 ~~— (5) The revocation or suspension shall:~~

12 ~~— (a) Set forth findings of fact and the terms and conditions of the revocation or suspension~~
13 ~~upon voluntary surrender; and~~

14 ~~— (b) Provide that the certificate holder agrees that:~~

15 ~~— 1. He is ineligible to hold a teaching certificate;~~

16 ~~— 2. The surrender of the certificate is for cause; and~~

17 ~~— 3. He has surrendered the certificate voluntarily, knowingly, and intelligently.~~

18 ~~— (6) The revocation or suspension shall be signed by the certificate holder, his attorney, if~~
19 ~~any, the chairman of the board, and the board's prosecutor.]~~

20 Section 2 [4]. Reinstatement and Reissuance of Certificate. (1) A [An individual whose]
21 certificate that has been suspended by the Education Professional Standards Board shall not be
22 reinstated until the certificate holder has met all conditions and requirements ordered by the
23 Education Professional Standards Board [revoked may file a written petition seeking
24 reissuance of the teaching certificate which shall state the reasons the applicant believes
25 himself to be suitable for reissuance]. Additionally, if a certificate lapses during a period of

1 suspension, the certificate holder shall apply for renewal of the certificate at the end of the
2 suspension period and shall meet all educational requirements for renewal of the certificate.

3 (2) An individual whose certificate has been revoked [~~suspended~~] shall complete a written
4 application for certification prior to the reissuance [~~date~~] of the certificate.

5 (3) [~~The burden of proving suitability for reissuance of a revoked certificate shall rest on~~
6 ~~the applicant seeking reinstatement.~~]

7 ~~(4)]~~ If reissuing a certificate, the Education Professional Standards Board [~~board~~] may include
8 terms and conditions that the board reasonably deems appropriate to impose as a condition of
9 reissuance.

10 (4) [(5)] An applicant for reissuance of a revoked [~~or suspended~~] certificate shall satisfy all
11 current educational requirements for the certificate.

12 (5) If a certificate is suspended or revoked because the certificate holder engaged in
13 misconduct involving the illegal use of controlled substances as defined in KRS 218A.010, in
14 addition to any conditions for reinstatement or reissuance ordered by the Education
15 Professional Standards Board, the certificate holder shall at his or her own expense provide
16 written evidence that he or she has submitted to a drug test administered by a drug testing
17 facility approved by the Education Professional Standards Board within thirty (30) days of
18 reinstatement or submission of an application for reissuance of the certificate. If the results of
19 the drug test indicate drug use by the certificate holder, the certificate shall not be reinstated or
20 reissued.

21 (a) The certificate holder shall arrange for the drug testing facility to send the results of
22 the drug test directly to the Education Professional Standards Board.

23 (b) A drug test conducted under this subsection shall at a minimum test for the
24 following controlled substances:

25 1. Marijuana;

1 2. Cocaine;

2 3. Opiates;

3 4. Amphetamines;

4 5. Phencycliden;

5 6. Morphine;

6 7. MDMA (Ecstasy);

7 8. Methadone;

8 9. Benziodiazepines;

9 10. Barbiturates; and

10 11. Oxycodone.

11 (c) A certificate holder subject to the terms of this subsection may petition the
12 Education Professional Standards Board to approve a drug testing facility of his or her choice.

13 The petition must contain the following

14 1. The drug testing facility's name and location;

15 2. Name and telephone number for the director of the facility;

16 3. Method of test specimen collection;

17 4. The drug testing facility's method of assuring identity of the test subject;

18 5. Procedures for testing specimens, including forensic testing methods;

19 6. Chain of custody protocols; and

20 7. Reason certificate holder wishes to use the facility.

21 Section 5. Denial of Application for a Certificate. ~~[After denying]~~ If the Education
22 Professional Standards Board denies an individual's application for a Kentucky teaching or
23 administrative certificate pursuant to KRS 161.120(1) or this administrative regulation, the
24 individual may file a written request for a hearing. The individual shall file the written request
25 for a hearing within thirty (30) days of receipt of the letter notifying the individual of the

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1 denial. The Education Professional Standards Board shall [~~KRS 161.040, the board shall~~
2 ~~schedule and~~] conduct a hearing on the matter in accordance with KRS Chapter 13B [~~upon~~
3 ~~written request filed by the applicant within thirty (30) days of the date of the letter advising of~~
4 ~~the denial~~].

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Information/Discussion Item B

Information Item:

16 KAR 9:____. University Based Alternative Certification Program. Notice of Intent

Applicable Statutes:

KRS 161.048, 161.027, 161.028, and 161.030

Applicable Goal:

Goal 2: Every professional position in a Kentucky public school is staffed by a properly credentialed educator.

Background:

In early 2006, EPSB staff convened a representative focus group comprised of university certification officers, district personnel directors from the five districts employing the most Option 6 candidates in Kentucky, and selected EPSB staff. This group provided a collection of issues to be addressed in a new regulation which would provide more guidance in the issuance of temporary provisional certificates for alternative certification candidates in teaching and school administration. These certificates have been issued under the limited guidance of KRS 161.048. Since the number of temporary provisional certificates rose to nearly 1800 during the 2005-06 school year, the need for more guidance was evident among all who work with these candidates.

Over the next eight months, this focus group provided review and feedback as various drafts were composed by EPSB staff. The resulting regulation is being presented to the EPSB after feedback has been gathered from a broader group of stakeholders from colleges and universities along with district superintendents and personnel directors.

Key areas addressed by the proposed regulation are:

- Pertinent definitions
- Written notification of program eligibility provided to candidates by institutions before hiring
- Observation and monitoring requirements for institutions and districts
Institution faculty/candidate ratios to ensure appropriate
- Notification requirements (via the TC-TP) regarding readiness for the Kentucky Teacher/Principal Internship Program, including the need for alternative principal candidates to pass all assessments before beginning KPIP
- Options for institutions and districts for “incomplete” candidates if necessary
- Preparation for the Superintendent’s Training Program
- Use of a new form (TC-TP) to organize the temporary provisional process for all parties (copy of form enclosed)

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The proposed regulation and application form are being presented for the Board's consideration at this time, and it will be placed on the March agenda for possible final action.

Contact Person:

Mr. Michael C. Carr, Director
Division of Certification
(502) 564-4606
E-mail: mike.carr@ky.gov

Executive Director

Date:

January 22, 2007

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Commonwealth of Kentucky
EDUCATION PROFESSIONAL STANDARDS BOARD
Division of Certification, 100 Airport Road, 3rd Floor
Frankfort, Kentucky 40601
Telephone (502) 564-4606 (888) 598-7667 www.kyepsb.net

APPLICATION FOR TEMPORARY PROVISIONAL CERTIFICATION

Please complete all requested information. Incorrect or missing information will delay processing.

SECTION I. RECORD OF PERSONAL INFORMATION AND PREPARATION TO BE COMPLETED BY APPLICANT (type or print)

A. PERSONAL INFORMATION

Social Security Number		E-Mail Address		Telephone Number	
Last Name		First Name		Middle or Maiden Name	
Mailing Address		City		State	Zip Code
Date of Birth (Month/Day/Year) Sex: Male or Female (Please circle one)					

ETHNIC IDENTIFICATION – OPTIONAL (check one)

Are you a veteran of the United States Armed Forces or Reserves with at least six years of service?

☐ White, Non-Hispanic ☐ Black, Non-Hispanic ☐ Asian or Pacific Islander
☐ American Indian ☐ Hispanic ☐ Other ☐ Yes
☐ No

B. TYPE(S) OF CERTIFICATION REQUESTED

Temporary Provisional Certificate for:

☐ Option 6 ☐ Option 7

C. COLLEGE ATTENDANCE RECORD

Attach an official transcript of all college or university credits not previously submitted

COLLEGE/UNIVERSITY	ADDRESS	DATES OF ATTENDANCE FROM TO	TOTAL SEMESTER HOURS OR DEGREES AWARDED

SECTION II. VERIFICATION OF EMPLOYMENT TO BE COMPLETED BY THE HIRING SCHOOL DISTRICT

Teaching Assignment (subject and grade level):

I verify that the applicant currently is employed or has an offer of employment in the above teaching assignment for the _____ school year and that a mentoring program has been / will be established to support the applicant.

Signed

Local School Superintendent School District

Date

PROFESSIONAL CODE OF ETHICS

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FOR
KENTUCKY SCHOOL PERSONNEL
16 KAR 1:020

Section 1. Certified personnel in the Commonwealth:

- (1) Shall strive toward excellence, recognize the importance of the pursuit of truth, nurture democratic citizenship, and safeguard the freedom to learn and to teach;
- (2) Shall believe in the worth and dignity of each human being and in educational opportunities for all;
- (3) Shall strive to uphold the responsibilities of the education profession:

(A) To Students

- Shall provide students with professional education services in a non-discriminatory manner and in consonance with accepted best practice known to the educator.
- Shall respect the constitutional rights of all students.
- Shall take reasonable measures to protect the health, safety, and emotional well-being of students.
- Shall not use professional relationships or authority with students for personal advantage.
- Shall keep in confidence information about students which has been obtained in the course of professional service, unless disclosure serves professional purposes or is required by law.
- Shall not knowingly make false or malicious statements about student or colleagues.
- Shall refrain from subjecting students to embarrassment or disparagement.
- Shall not engage in any sexually related behavior with a student with or without consent, but shall maintain a professional approach with students. Sexually related behavior shall include behaviors as sexual jokes; sexual remarks; sexual kidding or teasing; sexual innuendo; pressure for dates or sexual favors; inappropriate physical touching, kissing, or grabbing; rape; threats of physical harm; and sexual assault.

(B) To Parents

- Shall make reasonable effort to communicate to parents information which should be revealed in the interest of the student.
- Shall endeavor to understand community cultures and diverse home environments of students.
- Shall not knowingly distort or misrepresent facts concerning educational issues.
- Shall distinguish between personal views and the views of the employing educational agency.
- Shall not interfere in the exercise of political and citizenship rights and responsibilities of others.
- Shall not use institutional privileges for private gain, for the promotion of political candidates, or for partisan political activities.
- Shall not accept gratuities, gifts or favors that might impair or appear to impair professional judgment, and shall not offer any of these to obtain special advantage.

(C) To the Education Profession

- Shall exemplify behaviors which maintain the dignity and integrity of the profession.
- Shall accord just and equitable treatment to all members of the profession in the exercise of their professional rights and responsibilities.
- Shall keep in confidence information acquired about colleagues in the course of employment, unless disclosure serves professional purposes or is required by law.
- Shall not use coercive means or give special treatment in order to influence professional decisions.
- Shall apply for, accept, offer, or assign a position or responsibility only on the basis of professional preparation and legal qualifications.
- Shall not knowingly falsify or misrepresent records of facts relating to the educator's own qualification or those of other professionals.

SECTION III. CHARACTER AND FITNESS

This form must be completed and submitted with each certification application to the Division of Certification, 100 Airport Road, 3rd Floor, Frankfort, KY 40601, (502) 564-4606; (888) 598-7667; www.kyepsb.net

Name: _____ Social Security Number: _____

Address: _____

(Street)

(City)

(State)

(Zip)

Telephone Number: _____
(Area Code)

Answer each question by circling "yes" or "no." If you answer "yes" to any question, you must submit a full explanation using a separate sheet of paper.

If you have ever held, or currently hold a professional certificate, license, credential or other document issued to you by any jurisdiction (other than Kentucky) within the United States or abroad, enclose a copy of the certificate(s) or provide the following:

State or Jurisdiction _____ Certificate Number _____

Type _____ Issue Date _____ Expiration Date _____

- | | | |
|---|------------------|----|
| 1. Have you ever had a professional certificate, license, credential, or any document issued to you for practice denied, suspended, revoked, or voluntarily surrendered? | Yes | No |
| 2. Are you currently being reviewed or investigated for purposes of such action as stated in #1 or is such action pending? | Yes | No |
| 3. Have you ever been dismissed, resigned, released, or asked to resign/retire or discharged from a professional position or military service for immorality, incompetence, willful neglect of duty, misconduct, or presenting false information toward obtaining the position? | Yes | No |
| 4. Is any such action as stated in #3 pending? | Yes | No |
| 5. Have you ever been convicted of a felony or misdemeanor (other than a moving traffic violation), been found guilty, or entered a plea of nolo contendere (no contest), even if adjudication was withheld, in Kentucky or any other state? | Yes | No |
| 6. If you indicated "yes" to any items, #1 through #6, has that action been reviewed by the Education Professional Standards Board? _____ | Yes | No |
| | (Date of Review) | |

I affirm and declare that all information given by me on this application is true, and correct, and complete to the best of my knowledge. I understand that any misrepresentation of facts, by omission or addition, may result in the denial or revocation of my teaching certificate. Further, I understand that KRS 161.120 provides that a teaching certificate may be revoked at any time upon determination that false information was presented toward obtaining a teaching certificate.

I declare that I understand the standard for personal and professional conduct expected of a professional educator in Kentucky. I further certify that I have read and examined the CODE OF ETHICS (**enclosed**) applicable to school personnel, understand its provisions, and agree to abide by its terms during the course of my career as a professional educator.

SIGNATURE: _____

DATE: _____

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Commonwealth of Kentucky
EDUCATION PROFESSIONAL STANDARDS BOARD
Division of Certification, 100 Airport Road, 3rd Floor
Frankfort, Kentucky 40601
Telephone (502) 564-4606 (888) 598-7667 www.kyepsb.net

APPLICATION FOR TEMPORARY PROVISIONAL CERTIFICATION

Please complete all requested information. Incorrect or missing information will delay processing.

A. PERSONAL INFORMATION

_____	_____	_____	
Social Security Number	E-Mail Address	Telephone Number	
_____	_____	_____	
Last Name	First Name	Middle or Maiden Name	
_____	_____	_____	
Mailing Address	City	State	Zip Code

SECTION IV. CERTIFICATE BEING RECOMMENDED

A. Type of Certificate:

Temporary Provisional ____ Option 6 ____ Option 7 Rank _____

B. Recommendation

Program (include grade level and subject(s))	Enrollment Status
_____	____ Initial Enrollment
_____	Date: _____
_____	____ Continued Enrollment – 1 st renewal
_____	____ Continued Enrollment – 2 nd renewal

C. Testing and Internship

Praxis II Scores / PLT Score (OPTION 7 recommendations also must include required GRE scores)

* Tests must have been taken within the past five years

* Tests must be passed prior to KTIP year

TESTS	CODE #	SCORE	DATE OF EXAM Month/Day/Year
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Note: When requesting Educational Testing Service (ETS) to forward your test scores, use code 7283 (Education Professional Standards Board)

Is the applicant ready to participate in KTIP? ____ Yes ____ No
If **YES**, complete page 5 and send a copy to the employing district.

I verify the test scores listed above and recommend the issuance of a certificate as indicated above and that a mentoring program has been / will be established to support the applicant.

_____	_____	_____
COLLEGE/UNIVERSITY	SIGNATURE AND TITLE	DATE

NOTE: THE TEST SCORES PROVIDED AS PART OF THIS APPLICATION WILL NOT BE RELEASED IN ANY PERSONALLY IDENTIFIABLE FORM TO ANY OTHER PARTY WITHOUT OBTAINING WRITTEN CONSENT OF THE APPLICANT (FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT 1974)

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Commonwealth of Kentucky
EDUCATION PROFESSIONAL STANDARDS BOARD
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APPLICATION FOR TEMPORARY PROVISIONAL CERTIFICATION

SECTION V. INTERNSHIP NOTIFICATION – TO BE COMPLETED BY THE RECOMMENDING INSTITUTION

Candidate:

SSN: _____

District/School:

The above individual is a candidate in the alternative certification program at

COLLEGE/UNIVERSITY

He/She is ready to begin the Kentucky Teacher Internship Program (KTIP) in

MONTH YEAR

His/Her area of certification area is:

COLLEGE/UNIVERSITY

SIGNATURE AND TITLE

DATE

Upon successful completion of KTIP, the candidate should submit \$35 **AND** the appropriate EPSB form to apply for certification for subsequent years. (***TC-I*** if they have completed their alternative route program, ***TC-TP*** if they are continuing in the alternative route program)

Please send a copy of this page to the appropriate district.

EDUCATION PROFESSIONAL STANDARDS BOARD

16 KAR _____ University based alternative certification program.

RELATES TO: KRS 161.027, 161.028, 161.030, 161.048

STATUTORY AUTHORITY: KRS 161.027, 161.028, 161.030, 161.048

NECESSITY, FUNCTION, AND CONFORMITY: KRS 161.048 (7) requires the Education

Professional Standards Board to promulgate administrative regulations establishing the

standards and procedures for a university alternative certification option for teacher and

administrator certification. This administrative regulation establishes the requirements for

entry and completion of the teacher and administrator university based alternative

certification options, the responsibilities of the employing school or school district, and the

responsibilities of the approved college or university alternative program.

Section 1. Definitions. (1) “Alternative administrator program” means a college or

university post baccalaureate administrator preparation program for an individual who is

enrolled concurrently with employment in a local school district as an assistant principal,

principal, assistant superintendent, guidance counselor, director of special education, director

of pupil personnel, supervisor of instruction, or superintendent. The employment position

shall be consistent with the area of certification being sought through the preparation

program.

(2) “Alternative teacher program” means a college or university post baccalaureate teacher

preparation program for an individual who is enrolled concurrently with employment as a

teacher in a local school district or Kentucky private school. The individual enrolled may be

seeking initial teacher certification or if the individual is a professionally certified educator,

an additional area or areas of teacher certification. The employment position shall be

consistent with the area of certification being sought.

(3) "Private school" means a regionally or nationally accredited non-public school, or a non-public school meeting the state performance standards as established in KRS 156.160.

Section 2. University Requirements. (1) An accredited college or university seeking to offer a post-baccalaureate alternative teacher or administrator program shall apply to the Education Professional Standards Board for program approval in accordance with 16 KAR 5:010.

(2) In addition to the standards for program approval set forth in 16 KAR 5:010, the educator preparation institution seeking alternative teacher or alternative administrator program approval shall develop and publish a plan of selection and admission of candidates to the alternative program. The plan shall be filed with the Education Professional Standards Board and shall describe:

(a) A method to verify that an applicant has a minimum of a bachelor's degree from an accredited college or university and the minimum grade point average required for admission to the program;

(b) One or more assessments to measure academic proficiency for program admission;

(c) An evaluation of a candidate's disposition for the education profession;

(d) A procedure to ensure that a candidate reviews the Professional Code of Ethics for Kentucky School Personnel established in 16 KAR 1:020; and

(e) A copy of the declaration signed by a candidate affirming a commitment to upholding the Code of Ethics and acknowledging awareness of information required for state certification.

(3) The alternative program shall be designed in a manner that will provide a candidate with adequate coursework and mentoring to permit a candidate to maintain employment in an eligible position and successfully complete any applicable assessments, including internship programs, within a period of:

(a) three years for those enrolled in an alternative teacher program; or

- 1 (b) two years for those enrolled in an alternative administrator program.
- 2 (4) Upon approval, the alternative teacher or administrator program unit shall:
- 3 (a) Assess a candidate's educational background and develop a plan of coursework that shall
- 4 adequately prepare the candidate for successful completion of the requirements for program
- 5 completion and certification for the areas and grade ranges that correspond with the
- 6 candidate's school placement;
- 7 (b) Provide a candidate written and dated documentation of eligibility for the university
- 8 alternative certification program so that the candidate may be considered for employment
- 9 pursuant to KRS 160.345 (2) (h);
- 10 (c) Ensure that a candidate begins course work no later than 90 days from the date the
- 11 eligibility notice is issued;
- 12 (d) Establish, in consultation with the administration of a candidate's employing school, a
- 13 written plan for mentoring the candidate in the employment setting;
- 14 (e) Provide, prior to a candidate's participation in the Kentucky Teacher or Principal
- 15 Internship Program, a minimum of 15 hours of observation of a candidate in practice in the
- 16 employment setting utilizing university faculty and a district-based mentor teacher;
- 17 (f) Provide adequate faculty to mentor a candidate throughout the period of enrollment in the
- 18 alternative program; and
- 19 (g) Maintain regular communications with the employing school so that the institution and
- 20 employing school can assist the candidate as needed and address identified areas of
- 21 improvement;
- 22 (h) Notify the Education Professional Standards Board in writing if a candidate's
- 23 employment in a covered position or enrollment in the alternative certification program
- 24 permanently ceases.

- 1 Section 3. Participation in the alternative teacher program. (1) Participation in the
2 institution's alternative teacher program shall be available only to individuals who meet the
3 institution's alternative program admission requirements.
- 4 (2) A candidate's employment position shall be consistent with the area of certification being
5 sought through the preparation program.
- 6 (3) After notice of acceptance into the alternative teacher program and subsequent
7 notification of selection for an eligible position, a candidate shall apply for a Temporary
8 Provisional Certificate by submitting a completed TC-TP Application for Temporary
9 Provisional Certificate to the Education Professional Standards Board.
- 10 (4) Upon verification that a candidate has met all eligibility requirements for certificate
11 issuance, the Education Professional Standards Board shall issue a temporary provisional
12 certificate. The temporary provisional certificate shall be issued for a period of one year,
13 limited to the employing school district, contingent upon a candidate's continued enrollment
14 in the alternative preparation program and continued employment in an eligible position that
15 corresponds to a candidate's certification program.
- 16 (5) A candidate shall be eligible for no more than two renewals of the temporary provisional
17 certificate. Application for renewal shall be made by submitting a completed TC-TP form.
18 The Education Professional Standards Board shall renew the temporary provisional
19 certificate, upon verification of all eligibility requirements, including continued enrollment in
20 the alternative preparation program and employment in an eligible position.
- 21 (6) When the institution determines that a candidate has successfully passed the required
22 assessments, as outlined in 16 KAR 6:010, and completed sufficient course work, the
23 institution shall provide written notice to the employing school district that a candidate is
24 eligible to participate in the Kentucky Teacher Internship Program in the subject area(s)
25 covered by the temporary provisional certificate and in accordance with 16 KAR 7:010.

(7) Upon receipt of the written notification regarding readiness for internship, the employing school district shall submit to the Education Professional Standards Board, a Confirmation of Employment in electronic form, or hard copy if the electronic system is unavailable.

(8) If a candidate fails to successfully complete the assessments, the internship, or the required coursework during the initial issuance and two renewals of the temporary provisional certificate, the institution may transition a candidate into the institution's traditional preparation program and recommend the candidate for the Statement of Eligibility upon the candidate's completion of the preparation program and the required assessments.

(9) If a candidate fails to complete all alternative program requirements during the initial issuance and two renewals of the temporary provisional certificate, the employing school district may submit an application for emergency or conditional certification on behalf of the former employee to allow the individual to continue employment, subject to the provisions of 16 KAR 2:010, 16 KAR 2:120, and 16 KAR 2:180.

Section 4. Participation in the alternative administrator program. (1) Participation in the university alternative administrator program shall be available only to individuals who meet the institution's alternative program admission requirements.

(2) The employment position shall be consistent with the area of certification being sought through the preparation program.

(3) After notice of acceptance into the alternative administrator program, and subsequent notification of selection for an eligible position, a candidate shall apply for a temporary provisional certificate by submitting a completed TC-TP Application for Temporary Provisional Certificate to the Education Professional Standards Board.

(4) Upon verification that a candidate has met all eligibility requirements for certificate issuance, the Education Professional Standards Board shall issue a temporary provisional certificate. The temporary provisional certificate shall be issued for a period of one year,

1 limited to the employing school district, contingent upon a candidate's continued enrollment
2 in the alternative preparation program and continued employment in an eligible position that
3 corresponds to a candidate's certification program.

4 (5) A candidate shall be eligible for no more than one renewal of the temporary provisional
5 certificate. Application for renewal shall be made by submitting a completed TC-TP form.

6 The Education Professional Standards Board shall renew the temporary provisional
7 certificate, upon verification of all eligibility requirements, including continued enrollment in
8 the alternative preparation program and employment in an eligible position.

9 (6) (a) When an institution determines that an alternative administrator candidate for
10 principal certification has successfully passed the required assessments, as outlined in 16
11 KAR 6:030, and completed sufficient course work, the institution shall provide written notice
12 to the district that the candidate is eligible to participate in the Kentucky Principal Internship
13 Program in accordance with 16 KAR 7:020.

14 (b) Upon receipt of the written notification regarding readiness for internship, the
15 employing school district shall submit a Confirmation of Employment in electronic form, or
16 hard copy if the electronic system is unavailable, to the Education Professional Standards
17 Board and shall assign individuals to the internship committee in accordance with the
18 provisions of KRS 161.027 and 16 KAR 7:020.

19 (7) If an alternative administrator candidate fails to complete the assessments, the internship,
20 or the required coursework during initial issuance and one renewal of the temporary
21 provisional certificate, the institution may transition a candidate into the institution's
22 traditional preparation program. If such a candidate is enrolled in the alternative program for
23 principal, the institution may recommend the candidate for a Statement of Eligibility upon
24 the candidate's completion of the traditional preparation program and the required
25 assessments.

(8) During the period of enrollment in the alternative administrator program, a candidate seeking superintendent certification and serving in a local school district as a superintendent or assistant superintendent shall successfully complete both the coursework in the institution's alternative administrator program as well as the Superintendent Training Program and assessments required in KRS 156.111. The college or university faculty shall maintain contact with the employing school district and the Kentucky Department of Education regarding the completion of coursework to ensure that a superintendent candidate has completed sufficient coursework to prepare for the assessments and participation in the Superintendent's Training Program.

Section 5. Upon completion of the alternative program, the assessments, and the internship or Superintendent's Training program as applicable, the university shall provide a recommendation for the professional certificate on the candidate's TC-1 form. Upon verification that a candidate has met all eligibility requirements for certificate issuance, the Education Professional Standards Board shall issue a professional certificate.

Section 6. Incorporation by Reference. (1) The following material is incorporated by reference:

- (a) Form TC-TP;
- (b) Confirmation of Employment as a Teacher, rev. November 2004;
- (c) Confirmation of Employment as a Principal, rev. May 2005;
- (d) Teacher Internship Statement of Eligibility, rev. November 2004;
- (e) Principal Internship Statement of Eligibility, rev. May 2005.

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Information/Discussion Item C

Information Item:

2006-07 LEAD (Local Educator Assignment Data) Report

Applicable Statutes:

KRS 161.020; 161.028, and 161.1221
16 KAR 1:050

Applicable Goal:

Goal 2: Every professional position in a Kentucky public school is staffed by a properly credentialed educator.

Background:

KRS 161.1221 stipulates that "by November 15 of each year, the Education Professional Standards Board shall identify every teacher assigned classes out-of-field in the current school year and shall inform the Kentucky Department of Education [KDE]." For purposes of this review, the EPSB established the LEAD Report, which identifies all teachers/ administrators that fall into one or more of the following categories:

- Holds Only a Statement of Eligibility
- Out of Grade Range
- Never Certified
- Expired Certificate
- Out of Field
- Out of Population
- Out of Job Function

The Commissioner of Education is authorized to withhold, at his/her discretion, SEEK funds from districts that have/had teachers or administrators falling into any of the above categories during the respective school year.

EPSB staff began collecting LEAD data via the districts' STI and MUNIS (KDE's student and personnel reporting systems) submissions in late August 2006. After each district signed off on its LEAD data on October 20, EPSB staff made personal contact with each district regarding any problems. On November 15, the Executive Director gave the KDE commissioner a report, as required in statute, and EPSB staff subsequently met with KDE staff to review all final data.

The final LEAD report (copy sent under separate cover) was given to KDE on December 1, 2006. EPSB staff also will conduct a spring LEAD update report, and data from that report will be used as a basis for the annual Highly Qualified (HQ) report (used to monitor compliance with the No Child Left Behind Act.)

Contact Person:

Mr. Michael C. Carr, Director
Division of Certification
(502) 564-4606
E-mail: mike.carr@ky.gov

Executive Director

Date:

January 22, 2007

LEAD Statistics

(as presented to KDE)

12/1/2006

Statewide STI Statistics			
Status	Assignments		People
Cleared	484510	99.9%	43522
Never Certified	404	0.08%	12
Out of Field	27	0.01%	10
Out of Grade Range	15	0%	7
Expired	25	0.01%	6
Insufficient Certification	12	0%	3
Out of Population	6	0%	3
Holds Only SOE	14	0%	3
Total		485014	
Statewide MUNIS Statistics			
Status	Assignment		People
Cleared	71117	99.65%	51135
Insufficient Certification	250	0.35%	223
Total		71367	

Out-of-field teaching.

(1) The Education Professional Standards Board shall define "out-of-field" teaching and inform all local school districts of the definition.

(2) By November 15 of each year, the Education Professional Standards Board shall identify every teacher assigned classes out-of-field in the current school year and shall inform the Kentucky Department of Education.

(3) The Kentucky Department of Education shall provide to each school district a summary of the teachers identified as teaching out-of-field and give the district opportunity to correct the situation during the year. No teacher shall be reduced in salary due to being involuntarily moved out-of-field or being hired into a position out of his or her field. Emergency certification shall not be a valid reason for reducing any certified teacher's salary.

Effective: June 20, 2005

History: Amended 2005 Ky. Acts ch. 111, sec. 3, effective June 20, 2005. -- Amended 2004 Ky. Acts ch. 117, sec. 4, effective July 13, 2004. -- Created 2000 Ky. Acts ch. 527, sec. 6, effective July 14, 2000

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Information/Discussion Item D

Information Item:

16 KAR 7:010. Recommended Plan Pertaining to the December 20 and May 1 Deadlines for Resource Teacher Timesheets.

Applicable Statute or Regulation:

KRS 161.030 (6)(f)
16 KAR 7:010 Section 7(3)(b)

Applicable Goals:

Goal 4: Every credentialed educator participates in a high quality induction into the profession and approved educational advancement programs that support effectiveness in helping all students achieve.

Goal 6: The EPSB shall be managed for both effectiveness and efficiency, fully complying with all statutes, regulations, and established federal, state, and agency policies.

Background:

16 KAR 7:010 states that Resource Teacher Timesheets (RTTs) are to be submitted to EPSB by December 20 for mid-year interns and May 1 for full-year interns. For various reasons several timesheets are submitted after these deadlines.

Since these timelines are established through regulation, EPSB staff does not have the authority to pay public school districts to compensate their resource teachers or directly pay resource teachers in private schools when their timesheets are submitted after the deadlines. In order to make these payments, waiver requests must be brought to EPSB for approval.

In the past, the May 1st deadline was important because if EPSB did not use all the funding allotted for KTIP by the end of the fiscal year, the monies would be turned over to the General Fund. However, legislation changed this process to allow both KTIP and KPIP funds to be carried over to the next year. This removes the barrier of using current year funds to pay prior year expenses.

Since this process change, EPSB staff would like to offer a little more flexibility to schools and districts by implementing the following procedure:

EPSB staff will:

1. Maintain communication of the December 20 and May 1 deadlines in the KTIP Implementation Guide, at regional meetings held across the state, and in the monthly electronic newsletters.
2. Continue to pay all districts and private school resource teachers whose resource teacher timesheets are submitted by the deadlines in a timely manner.
3. Review each case related to a resource teacher timesheet that is submitted after the deadlines and work with the school and/or district to increase the probability that future timesheets will arrive on time.
4. Pay all late submission districts and private school resource teachers as soon as possible.
5. Present to EPSB an action item in March that requests the Board to waive the December 20 and May 1 deadlines until the regulation can be brought to the Board with the dates deleted. The regulation is schedule to be opened and brought to the Board prior to Fall 2008 when the TPA will be fully implemented.

Contact Person:

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Executive Director

Date:

January 22, 2007

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Information/Discussion Item E

Information Item:

A report on the year-to-date financial performance of the agency's programs and operations through December 31, 2006

Applicable Statutes and Regulation:

KRS 161.017 (1) (c)

Applicable Goal:

Goal 6: The EPSB shall be managed for both effectiveness and efficiency, fully complying with all statutes, regulations, and established federal, state, and agency policies.

Background:

The EPSB fiscal year is July 1 through June 30th. This report reviews the agency's quarterly budget for the first half of FY07.

Contact Person:

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Executive Director

Date:

January 22, 2007

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Action Item A

Action Item

Request approval to authorize the executive director to enter into contracts to conduct normal business operations

Applicable Statutes and Regulation

KRS 161.028 (1) (v) (d)

KRS 161.017 (3)

Applicable Goal

Goal 6: The EPSB shall be managed for both effectiveness and efficiency, fully complying with all statutes, regulations, and established federal, state, and agency policies.

Issue

Should the Education Professional Standards Board (EPSB) authorize the executive director to enter into the specified contracts to conduct normal business operations?

Background

KRS 161.028 (1) (v) authorizes the EPSB to enter into contracts and KRS 161.017 (3) stipulates that with board approval the executive director may enter into agreements "...to enlist assistance to implement the duties and responsibilities of the board." The EPSB approved procedures for seeking approval and authorization for entering financial agreements at the October 23, 2006 EPSB meeting.

Purpose of the contracts:

1. The EPSB Retreat meeting scheduled for June 15 – 18 will require a hotel contract for accommodations for the board members and staff of EPSB.
 - Approximate cost of the contract: \$12,650
 - Impact on budget: These expenditures were included in the FY 2007 budget.
 - Type of entity providing service: Hotel
 - Bidding process: Not required to bid, however, an RFP was published to solicit proposals for planning purposes.
 - Singular vs. continuing service: Singular
2. To administer the National Board for Professional Teaching Standards (NBPTS) mentoring program the EPSB will need to establish multiple contracts with local school districts, educational coops, and institutions of higher education. These contracts will provide a variety of services including workshops for teachers, mentor training, program coordinators and collection of documentation.

Agenda Book

- Approximate cost of the contracts: \$285,750
 - Impact on budget: These expenditures were included in the FY 2007 budget.
 - Type of entity providing service: Education agencies
 - Bidding process: An RFP will be published to solicit proposals for these services.
 - Singular vs. continuing service: Singular
3. The Division of Educator Preparation along with NCATE will be conducting accreditation reviews at 4 colleges or universities in the near future. For 3 of those visits hotel contracts are needed to provide for the lodging accommodations of the staff of EPSB and other non-state team members.
- Approximate cost of the contracts: \$ 12,000 total for three contracts.
 - Impact on budget: These expenditures were included in the FY 2007 budget.
 - Type of entity providing service: Hotels
 - Bidding process: Not required to bid.
 - Singular vs. continuing service: Singular
4. A modification to the travel budget on the personal service contract for Bob Pace is needed. The travel expenses involved in the extensive investigation work that we request from Mr. Pace will exceed the amount of the original budget (\$4,000) in his contract. We are requesting an increase of \$3,500 to adjust the travel budget to a total of \$7,500.
- Approximate cost of the modification: \$3,500
 - Impact on budget: These expenditures were included in the FY 2007 budget.
 - Type of entity providing service: Legal
 - Bidding process: Not applicable
 - Singular vs. continuing service: Singular

Alternative Actions

1. Authorize the executive director to enter into all of the contracts described above.
2. Authorize the executive director to enter into only certain contracts described above and disapprove the others.
3. Modify and approve the contracts.
4. Do not approve any of the contracts.

Staff Recommendation

Alternative 1

Rationale

These are routine and necessary expenditures

Contact Person:

Mr. Gary W. Freeland
Deputy Executive Director
(502) 564-4606
E-mail: garyw.freeland@ky.gov

Executive Director

Date:

January 22, 2007

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Action Item B

Action Item:

Lincoln Memorial University: Accreditation of the Educator Preparation Unit and Approval of Programs

Applicable Statute or Regulation:

KRS 161.028
16 KAR 5:010

Applicable Goal:

Goal 1: Every approved educator preparation program meets or exceeds all accreditation standards and prepares knowledgeable, capable teachers and administrators who demonstrate effectiveness in helping all students reach educational achievement.

Issue:

Should the EPSB grant first accreditation to the Educator Preparation Unit and approve the initial level preparation program at Lincoln Memorial University?

Background:

In January 2005 the EPSB granted the educational unit of Lincoln Memorial University (LMU) provisional accreditation and approval with conditions for the initial level educator preparation program. LMU was required to submit documentation addressing the cited Areas for Improvement. In August 2005 the EPSB granted approval to participate in an on-site focused visit.

A joint Kentucky-Tennessee State Board of Examiners (BOE) team conducted the on-site focused visit of the Educator Preparation Unit at Lincoln Memorial University on December 6-7, 2005. The BOE reviewed the evidence addressing specific questions across all six standards. The BOE team also voted on each of the standards and found all standards “Met.”

The Accreditation Audit Committee (AAC) members met October 20, 2006 (see attached minutes) and reviewed the accreditation documents including the BOE report, institutional rejoinder, and Tennessee Action Report. LMU provided additional documents as evidence to the AAC during its October meeting.

The AAC agreed with the Areas for Improvement cited below:

Corrected Areas for Improvement:

Standard 1: Candidate Knowledge, Skills, and Dispositions

- 1) *The Kentucky New Teacher Standards are not consistently incorporated.*

Standard 2: Assessment System and Unit Evaluation

- 1) *The unit does not aggregate and analyze data.*

Standard 3: Field Experiences and Clinical Practice

- 1) *No mechanism is in place to ensure a range of placements and experiences.*

Continued Areas for Improvement:

Standard 6: Unit Governance and Resources

- 1) *The unit's curriculum requirements are not adequately or consistently presented to the candidates.*

New Areas for Improvement

Standard 2: Assessment System and Unit Evaluation

- 1) *The unit's assessments are focused on INTASC Standards rather than Kentucky New Teacher Standards.*

Standard 5: Faculty Qualifications

- 1) *Some adjunct faculty have limited knowledge of current Kentucky P-12 Academic Standards.*

The section of the BOE Report addressing Standard 4: Diversity indicates that LMU candidates do not interact and work with candidates from diverse ethnic and racial groups. But, due to an oversight during the report editing process, a continuing area for improvement was omitted. As a result, the AAC cited an additional area, which had been cited by the Tennessee Board of Education, for improvement in Standard 4 as follows:

- 1) Candidates do not interact and work with candidates from diverse ethnic and racial groups in professional education courses on-campus or in schools.

The AAC did agree with the BOE team that all the standards were met.

Pursuant to 16 KAR 5:010, Section 18, the AAC accepts the areas for improvement listed above and recommends: (1) ACCREDITATION and (2) APPROVAL OF THE INITIAL LEVEL EDUCATOR PREPARATION PROGRAM at Lincoln Memorial University.

Groups/Persons Consulted:

Content Area Program Reviewers

Continuous Assessment Review Committee

Reading Committee

Joint Tennessee/Kentucky State Board of Examiners Team

Accreditation Audit Committee

Accreditation Audit Committee (AAC)

Education Professional Standards Board

Conference Room A

October 20, 2006

MEETING MINUTES

Members Present:

Judi Conrad, Chair
Shirley Nelson
Ann Walls
Diane Woods-Ayers

EPSB Staff Present:

Marilyn Troupe
Allison Bell
Elizabeth Springate

Members Recused:

Tim Watkins

Members Absent:

Jack Rose

The meeting was called to order at 9:42 a.m., Ms. Conrad announced a quorum was present, and introductions of the committee and institutional representatives were made. Members were reminded to check their contact information and to sign on the meeting sign-in sheet.

APPROVAL OF MINUTES:

Motion made by Shirley Nelson, seconded by Judi Conrad, to approve the minutes from the March 31, 2006 AAC meeting.

Vote: Approve the motion (Yes – Unanimous)

The AAC reviewed the documentation including the Institutional Reports (IR), Board of Examiner (BOE) team reports, institutional rejoinders, annual data, and narrative reports, and made recommendations for accreditation for:

LINCOLN MEMORIAL UNIVERSITY

BOE team chair, Zella Wells, provided an overview of the team members and an explanation of the visit which was a joint Kentucky-Tennessee focused visit. She identified each area for improvement and the recommendations by the Board of Examiner team. Lincoln Memorial University was represented by five individuals - Dr. Teresa Bicknell, Chair of the Department of Undergraduate Education; Dr. Michael Clyburn, VPAA and Provost; Dr. Fred Bedelle, Dean of the Carter and Moyers School of Education; Ms. Susan Gratz, Director of Student Teaching; and Mr. Anthony Maxwell, Assistant Director of the Center for Professional Collaboration.

There were three corrected areas for improvement identified in the BOE Report. The corrected area for improvement in Standard 1 addressed the incorporation of the Kentucky New Teacher Standards (KNTS) which the team found and cited evidence

that the unit has made efforts to align the curriculum and the assessments with the KNTS and interviews with the candidates confirmed their knowledge of the standards. The area for improvement corrected in Standard 2 related to the aggregation and analysis of data and the BOE team found the unit has developed a broad assessment system, created several instruments for data collection, and begun the process of data collection and analysis. The third area for improvement was identified in Standard 3 and related to ensuring a range of placements and experiences. The BOE team found evidence that the unit is now monitoring and tracking the range of field placements.

There was one continuing area for improvement cited in Standard 6 of the BOE Report relating to the consistency of curriculum requirements being presented to the candidates as the interviews with candidates and review of documentation indicated the advising/curriculum contract does not include the required certification information. Dr. Bicknell and the information in the rejoinder identified that the same advising document is being used for all candidates and each candidate is now required to meet each semester with his/her advisor.

The supporting information in the Kentucky BOE Report evidenced an area for improvement in Standard 4; however, due to an oversight during the report editing process, the continuing area for improvement relating to diverse candidates working with diverse populations on campus and in schools was not included in the Kentucky BOE Report. The Tennessee Department of Education did cite this area for improvement (Tennessee uses “Weakness”) in the April 21, 2006 Action Report. Mr. Anthony Maxwell indicated the unit has identified diverse P-12 schools and now requires candidates to participate in field experiences within those sites as a part of the multicultural field experience. Candidates must also complete a multicultural portfolio.

There were two new areas for improvement cited in the BOE Report in Standard 2 and Standard 5. The new area for improvement in Standard 2 related to the assessments’ alignment with INTASC standards rather than KNTS. Dr. Wells indicated that with the present design of their assessment system and with some minor adaptations the unit could collect data on the KNTS. Dr. Bicknell indicated since the December visit, the KNTS have now been embedded into the unit’s assessment system as evidenced by supporting information supplied by LMU representatives during the meeting. The area for improvement in Standard 5 related to limited knowledge of adjunct faculty of current Kentucky P-12 Academic Standards. Mr. Maxwell provided a summary of the fall faculty meeting which included a review of the EPSB website including the KTIP modules and the teacher standards. He indicated the November faculty meeting will address the new Core Content for Assessment and the new curriculum pieces. Ms. Susan Gratz indicated that an overview of the teacher standards and KTIP was provided to student teachers using a current Kentucky teacher as the principal speaker.

After hearing the team chair’s report and presentation from the institutional representative, the AAC following the prescribed format made the following decisions:

- The BOE team followed approved accreditation guidelines when conducting

the visit (*Vote: Unanimous*).

- Agreed with the Corrected Areas for Improvement section as reported by the Board of Examiners (*Vote: Unanimous*).
- Did not agree with the Continuing Areas for Improvement section as reported by the Board of Examiners (*Vote: Unanimous*). *A motion, made by Shirley Nelson and seconded by Ann Walls, to cite an additional area for improvement in Standard 4 to read as follows (Vote: Unanimous*):* Candidates do not interact and work with candidates from diverse ethnic and racial groups in professional education courses on-campus or in schools.
- Agreed with the New Areas for Improvement section as reported by the Board of Examiners (*Vote: Unanimous*).
- Agreed with the Summary of Standards page of the BOE report (*Vote: Unanimous**).

The AAC recommends **ACCREDITATION** (*Vote: Unanimous**) for Lincoln Memorial University.

The meeting adjourned at 10:45 a.m.

Section 19. Official State Accreditation Action by the Education Professional Standards Board. (1) A recommendation from the Accreditation Audit Committee shall be presented to the full EPSB.

(2) The EPSB shall consider the findings and recommendations of the Accreditation Audit Committee and make a final determination regarding the state accreditation of the educator preparation unit.

(3) Decision options following a first accreditation visit shall include:

(a) Accreditation.

1. This accreditation decision indicates that the unit meets each of the six (6) NCATE standards for unit accreditation. Areas for improvement may be cited, indicating problems warranting the institution's attention. In its subsequent annual reports, the professional education unit shall be expected to describe progress made in addressing the areas for improvement cited in the EPSB's action report.

2. The next on-site visit shall be scheduled five (5) years following the semester of the visit;

(b) Provisional accreditation.

1. This accreditation decision indicates that the unit has not met one (1) or more of the NCATE standards. The unit has accredited status but shall satisfy provisions by meeting each previously-unmet standard. EPSB shall require submission of documentation that addresses the unmet standard or standards within six (6) months of the accreditation decision, or shall schedule a visit focused on the unmet standard or standards within two (2) years of the semester that the provisional accreditation decision was granted. If the EPSB decides to require submission of documentation, the institution may choose to waive that option in favor of the focused visit within two (2) years. Following the focused visit, the EPSB shall decide to:

a. Accredit; or

b. Revoke accreditation.

2. If the unit is accredited, the next on-site visit shall be scheduled for five (5) years following the semester of the first accreditation visit;

(c) Denial of accreditation. This accreditation decision indicates that the unit does not meet one (1) or more of the NCATE standards, and has pervasive problems that limit its capacity to offer quality programs that adequately prepare candidates; or

(d) Revocation of accreditation. This accreditation decision indicates that the unit has not sufficiently addressed the unmet standard or standards following a focused visit.

(4) Decision options following a continuing accreditation visit shall include:

(a) Accreditation.

1. This accreditation decision indicates that the unit meets each of the six (6) NCATE standards for unit accreditation. Areas for improvement may be cited, indicating problems warranting the institution's attention. In its subsequent annual reports, the professional education unit shall be expected to describe progress made in addressing the areas for improvement cited in EPSB's action report.

2. The next on-site visit shall be scheduled for seven (7) years following the semester of the visit;

(b) Accreditation with conditions.

1. This accreditation decision indicates that the unit has not met one (1) or more of the NCATE standards. If the EPSB renders this decision, the unit shall maintain its accredited status, but shall satisfy conditions by meeting previously unmet standards. EPSB shall require submission of documentation that addresses the unmet standard or standards within six (6) months of the decision to accredit with conditions, or shall schedule a visit focused on the unmet standard or standards within two (2) years of the semester that the accreditation with conditions decision was granted. If the EPSB decides to require submission of

documentation, the institution may choose to waive that option in favor of the focused visit within two (2) years. Following the focused visit, the EPSB shall decide to:

- a. Continue accreditation; or
- b. Revoke accreditation.

2. If the EPSB renders the decision to continue accreditation, the next on-site visit shall be scheduled for seven (7) years following the semester in which the continuing accreditation visit occurred;

- (c) Accreditation with probation.

1. This accreditation decision indicates that the unit has not met one (1) or more of the NCATE standards and has pervasive problems that limit its capacity to offer quality programs that adequately prepare candidates. As a result of the continuing accreditation review, the EPSB has determined that areas for improvement with respect to standards may place an institution's accreditation in jeopardy if left uncorrected. The institution shall schedule an on-site visit within two (2) years of the semester in which the probationary decision was rendered. This visit shall mirror the process for first accreditation. The unit as part of this visit shall address all NCATE standards in effect at the time of the probationary review at the two (2) year point. Following the on-site review, the EPSB shall decide to:

- a. Continue accreditation; or
- b. Revoke accreditation.

2. If accreditation is continued, the next on-site visit shall be scheduled for five (5) years after the semester of the probationary visit; or

(d) Revocation of accreditation. Following a comprehensive site visit that occurs as a result of an EPSB decision to accredit with probation or to accredit with conditions, this accreditation decision indicates that the unit does not meet one (1) or more of the NCATE standards, and has pervasive problems that limit its capacity to offer quality programs that adequately prepare candidates. Accreditation shall be revoked if the unit:

1. No longer meets preconditions to accreditation, such as loss of state approval or regional accreditation;
2. Misrepresents its accreditation status to the public;
3. Falsely reports data or plagiarized information submitted for accreditation purposes; or
4. Fails to submit annual reports or other documents required for accreditation.

(5) Notification of EPSB action to revoke continuing accreditation or deny first accreditation, including failure to remove conditions, shall include notice that:

- (a) The institution shall inform students currently admitted to a certification or rank program of the following:

1. A student recommended for certification or advancement in rank within the twelve (12) months immediately following the denial or revocation of state accreditation and who applies to the EPSB within the fifteen (15) months immediately following the denial or revocation of state accreditation shall receive the certificate or advancement in rank; and

2. A student who does not meet the criteria established in subparagraph 1 of this paragraph shall transfer to a state accredited education preparation unit in order to receive the certificate or advancement in rank; and

(b) An institution for which the EPSB has denied or revoked accreditation shall seek state accreditation through completion of the first accreditation process. The on-site accreditation visit shall be scheduled by the EPSB no earlier than two (2) years following the EPSB action to revoke or deny state accreditation.

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Action Item C

Action Item:

Review of Indiana Wesleyan University's Program Status

Applicable Statutes and Regulation:

KRS 161.028, 161.030
16 KAR 5:010

Applicable Goal:

Goal 1: Every approved educator preparation program meets or exceeds all accreditation standards and prepares knowledgeable, capable teachers and administrators who demonstrate effectiveness in helping all students reach educational achievement.

Issue:

Should the Education Professional Standards Board (EPSB) continue approval of Indiana Wesleyan University's (IWU) Rank II and I Programs?

Background:

Indiana Wesleyan University's (IWU) history in Kentucky began on June 18, 2001, when the EPSB granted "temporary approval" for them to establish a performance-based graduate-level program in Louisville. On September 22, 2003, the EPSB granted IWU initial accreditation and program approval to offer the Master of Education (M.Ed.) in Curriculum and Instruction on the Louisville campus. The M.Ed. degree program was for Rank II only. At that time, there were two areas for improvement cited by the Board of Examiners:

- Standard 1: Not all elective courses in the M.Ed. program are aligned with Kentucky's Experienced Teacher Standards.
- Standards 1 and 5: Out-of-state faculty assigned to the M.Ed. program in Louisville have not received in-depth training about Kentucky's Experienced Teacher Standards or about current Kentucky education initiatives and policies.

During the May 17, 2004, board meeting, documentation was provided indicating that IWU was offering a Rank I program without EPSB approval. There was a lengthy discussion, and the EPSB and IWU reached consensus on the following:

"All students currently enrolled in IWU's Rank I program being offered in Kentucky may complete this program and, upon recommendation by IWU, will be awarded Rank I status by the EPSB.

IWU agreed to admit no new students to its Rank I program in Kentucky, effective April 13, 2004, until such time as it submits the Rank I program for EPSB review and receives EPSB

approval. IWU also agreed to provide the EPSB, by July 1, 2004, with a list of persons currently enrolled in the Rank I program being offered in Kentucky and the dates of their enrollment.”

IWU completed all stipulations requested by the EPSB within the time frame outlined. The EPSB approved the Rank I program January 2005 that included the use of six (6) credit hours of Canter & Associates video courses in the master’s degree programs for Rank II and I.

Inquiries from teachers continued to question IWU’s association with Canter & Associates and the use of the videos for the entire program. In August 2005, staff contacted consultants in the Division of Professional Standards in the State of Indiana questioning the use of Canter & Associate and PLS in the master’s programs. That discussion led to sending an email to Donna Gollnick at the National Council for Accreditation of Teacher Education (NCATE) to determine if there were guidelines relative to for-profit and commercially developed courses.

Gollnick provided the following response: “NCATE does not have any guidelines on the inclusion of for-profit commercially provided courses. We do expect the unit and its programs to meet NCATE and state standards. Our major concern is the control of the curriculum by faculty and the reflection of the conceptual framework in those programs.” As a result of Gollnick’s response EPSB staff initiated a meeting with IWU administrators in September 2005. After that meeting, EPSB General Counsel sent a letter to IWU outlining the agency’s concerns and requesting additional documentation and evidence for staff review.

All documents and evidence were received by December 1, 2005. Staff reviewed the documents and evidence and developed a summary report using the NCATE Standards to address concerns. The new concerns revolve around the commercially produced programs marketed to Kentucky teachers over the Internet and by mail. The commercial producers are Canter & Associates and Performance Learning Systems (PLS) who independently market graduate credit programs to teachers in Kentucky in partnership with IWU. Some of the advertisements sent to teachers in Kentucky are misleading and the reason for the numerous inquiries since the Rank I program was approved January 2005.

The EPSB did not approve Canter & Associates or PLS to operate as independent educator preparation programs in Kentucky. Faculty qualifications and orientation to Kentucky standards and KERA Initiatives are additional issues that do not appear to have been addressed by these commercial providers. It was difficult to determine the impact on P-12 student learning and candidate and program assessment. These are accreditation issues that will require a response from IWU. Lastly, there is a governance and ownership issue related to the commercially produced courses in question. It has presented a dilemma for staff in trying to determine the administrator responsible for the Louisville campus and the numerous off-campus sites. Dr. Paul Weaver was officially recognized by EPSB staff as the chair but on several occasions other IWU administrators appeared to speak for the university and graduate studies. In 2007 IWU plans to appoint a new chair.

(Additional documentation provided under separate cover.)

Recommendations:

1. Require IWU to resubmit both Rank II and Rank I programs excluding the Canter & Associates videos and Performance Learning Systems online courses
2. Monitor IWU's expansion of off-campus sites until the Louisville campus is in compliance with state standards and regulations
3. Invite Canter & Associates and Performance Learning Systems to submit program proposals for approval to operate in Kentucky
4. Recognize IWU as a Kentucky institution and require that the university meet all Kentucky and NCATE Standards

Alternative Actions:

1. Accept the recommendations as submitted
2. Modify the recommendations
3. Do not accept the recommendations as submitted

Staff Recommendation:

Alternative Action 1

Rationale:

The EPSB did not accredit or grant program approval to Canter & Associates or Performance Learning Systems to deliver a master's degree program in Kentucky. IWU received approval to use six (6) credit hours of Canter course work in the master's degree program for Rank II and I with the understanding that those courses reflected the current standards for both NCATE and Kentucky and the university's conceptual framework.

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Executive Director

Date:

January 22, 2007

EDUCATION PROFESSIONAL STANDARDS BOARD

**Summary Review of Canter & Associates Videos
Used by
Indiana Wesleyan University for the Rank II & I Kentucky Programs
January 2007**

Standard 1: Candidate Knowledge, Skills, and Dispositions

- How does the master's degree improve P-12 student learning?
- What assessments are used to monitor candidate's performance and progress?
- What are the dispositions?
- How do candidates know the courses are aligned with state and national standards?

Standard 2: Assessment System and Unit Evaluation

- What system is used to evaluate the programs?
- What changes have occurred as a result of the evaluation?
- What data are collected?

Standard 3: Field Experiences and Clinical Practice

- How do practicum experiences ensure that candidates receive a well sequenced, supervised and integrated program?
- How are assignments related to classroom activities?
- How are the videos aligned with the IWU conceptual framework?

Standard 4: Diversity

- How does IWU ensure that the curriculum reflects diversity and prepares candidates to work with all P-12 students?
- How does IWU ensure candidates interact with diverse faculty?

Standard 5: Faculty Qualifications, Performance, and Development

- What are the qualifications of faculty?
- Who are the faculty?
- How are faculty selected?
- How are faculty evaluated?
- Are faculty transient or on a tenure track?
- Does IWU have control of the curriculum content?

Standard 6: Unit Governance and Resources

- Are the design and delivery of the video and online courses consistent with the conceptual framework of the unit?
- Who directs the IWU programs in Kentucky?
- What resources are available at the Kentucky locations?
- Does IWU only use adjunct faculty for the Kentucky locations?

Supporting Documentation

Correspondence:

- Letter from Dr. Harry Hall, IWU Assistant Dean
- Letter from EPSB General Counsel to IWU
 - Letter from Dr. Weaver requesting date extension
 - IWU Response to EPSB General Counsel (three ring binder not in board packet)
- Emails from Donna Gollnick at NCATE and Mary Glenn Rinne, State of Indiana
- Letters from Hank Kelly
- Copy of letter to IWU President James Barnes from the Council on Postsecondary Education

Copies of Canter Catalogs for 2005 and 2006

Canter Card advertising distance learning graduate course

Marketing material advertising the IWU's Lexington campus

IWU website concerning faculty training and using practitioners to teach graduate courses

Performance Learning Systems (PLS) website pages

Documentation not included with board packet because of volume:

- IWU Supplemental Assignment Booklet
- Canter & Associates videos
- There were 63 videos of which 32 were old versions
- The IWU resource books (3) did not include any reference to Kentucky standards.
- Only National Board for Professional Teaching Standards were listed with domain outcomes.

IWU did not include Performance Learning Systems course materials in the documents delivered to EPSB in November and December 2005.

Steve Shekell and Betsy Varis met with staff February 15, 2006 and provided the following information:

- PLS notebooks: Course Syllabi and Support For Partner Institution Accountabilities
- These materials are aligned with INTASC (Interstate New Teacher Assessment & Support Consortium) and National Board for Professional Teaching Standards

16 KAR 5:010. Standards for accreditation of educator preparation units and approval of programs.

RELATES TO: KRS 161.028, 161.030, 164.945-164.947, 20 U.S.C. 1021-1030

STATUTORY AUTHORITY: KRS 161.028, 161.030

NECESSITY, FUNCTION, AND CONFORMITY: KRS 161.028(1) authorizes the Education Professional Standards Board to establish standards and requirements for obtaining and maintaining a teaching certificate and for programs of preparation for teachers and other professional school personnel, and KRS 161.030(1) requires all certificates issued under KRS 161.010 to 161.126 to be issued in accordance with the administrative regulations of the board. This administrative regulation establishes the standards for accreditation of an educator preparation unit and approval of a program to prepare an educator.

Section 1. Definitions. (1) "AACTE" means the American Association of Colleges for Teacher Education.

(2) "Biennial report" means the report prepared by the EPSB summarizing the institutionally-prepared annual reports for a two (2) year period.

(3) "Board of examiners" means the team who reviews an institution on behalf of NCATE or EPSB.

(4) "EPSB" means the Education Professional Standards Board.

(5) "NCATE" means the National Council for Accreditation of Teacher Education.

(6) "NCATE accreditation" means a process for assessing and enhancing academic and educational quality through voluntary peer review.

(7) "State accreditation" means recognition by the EPSB that an institution has a professional education unit that has met accreditation standards as a result of review, including an on-site team review.

Section 2. Accreditation Requirements. (1) An institution offering an educator certification program or a program leading to a rank change:

(a) Shall be accredited by the state; and

(b) May be accredited by NCATE.

(2) State accreditation shall be:

(a) A condition of offering an educator certification program or a program leading to a rank change; and

(b) Based on the national accreditation standards which include the program standards enumerated in KRS 161.028(1)(b), and which are set out in the "Professional Standards for the Accreditation of Schools, Colleges, and Departments of Education" established by NCATE. The accreditation standards shall include:

1. Standard 1 - Candidate Knowledge, Skills, and Dispositions. Candidates preparing to work in schools as teachers or other professional school personnel know and demonstrate the content, pedagogical, and professional knowledge, skills, and dispositions necessary to help all students learn. Assessments indicate that candidates meet professional, state, and institutional standards.

2. Standard 2 - Assessment System and Unit Evaluation. The unit has an assessment system that collects and analyzes data on applicant qualifications, candidate and graduate performance, and unit operations to evaluate and improve the unit and its programs.

3. Standard 3 - Field Experience and Clinical Practice. The unit and its school partners design, implement, and evaluate field experiences and clinical practice so that teacher candidates and other school personnel develop

and demonstrate the knowledge, skills, and dispositions necessary to help all students learn.

4. Standard 4 - Diversity. The unit designs, implements, and evaluates curriculum and experiences for candidates to acquire and apply the knowledge, skills, and dispositions necessary to help all students learn.

These experiences include working with diverse higher education and school faculty, diverse candidates, and diverse students in P-12 schools.

5. Standard 5 - Faculty Qualifications, Performance, and Development. Faculty are qualified and model best professional practices in scholarship, service, and teaching, including the assessment of their own effectiveness as related to candidate performance; they also collaborate with colleagues in the disciplines and schools. The unit systematically evaluates faculty performance and facilitates professional development.

6. Standard 6 - Unit Governance and Resources. The unit has the leadership, authority, budget, personnel, facilities, and resources including information technology resources, for the preparation of candidates to meet professional, state, and institutional standards.

(3) NCATE accreditation shall not be a condition of offering an educator certification program or a program leading to a rank change.

(4) All educator preparation institutions and programs operating in Kentucky that require licensure by the Council on Postsecondary Education under KRS 164.945-164.947 and 13 KAR 1:020 shall:

(a) Be accredited by the state through the EPSB under this administrative regulation as a condition of offering an educator certification program or a program leading to rank change; and

(b) Comply with the EPSB "Accreditation of Preparation Programs Procedure".

Section 3. Developmental Process for New Educator Preparation Programs. (1) New educator preparation institutions requesting approval from the EPSB to develop educator preparation programs that do not have a historical foundation from which to show the success of candidates or graduates as required under Section 9 of this administrative regulation shall follow the four (4) stage developmental process established in this section to gain temporary authority to admit candidates.

(2) Stage One.

(a) The educator preparation institution shall submit an official letter from the chief executive officer and the governing board of the institution to the EPSB indicating their intent to establish an educator preparation program.

(b) The EPSB staff shall make a technical visit to the institution.

(c) The institution shall submit the following documentation:

1. Program descriptions required by Section 11 of this administrative regulation;

2. Continuous assessment plan required by Section 11 of this administrative regulation; and

3. Fulfillment of Preconditions 1, 2, 3, 5, 7, 8, and 9 established in Section 9 of this administrative regulation.

(d) The EPSB shall provide for a paper review of this documentation by the Reading Committee and the Continuous Assessment Review Committee.

(e) Following review of the documentation, EPSB staff shall make an additional technical visit to the institution.

(3) Stage Two.

Agenda Book

- (a) A board of examiners team shall make a one (1) day visit to the institution to verify the paper review.
- (b) The team shall be comprised of:
 - 1. One (1) representative from a public postsecondary institution;
 - 2. One (1) representative from an independent postsecondary institution; and
 - 3. One (1) representative from the Kentucky Education Association.
- (c) The team shall submit a written report of its findings to the EPSB.
- (d) The EPSB shall provide a copy of the written report to the institution.
- (e) 1. The institution may submit a written rejoinder to the report within thirty (30) working days of its receipt.
 - 2. The rejoinder may be supplemented by materials pertinent to the conclusions found in the team's report.
- (f) The Accreditation Audit Committee shall review the materials gathered during Stages One and Two and make one (1) of the following recommendations to the EPSB with regards to temporary authorization:
 - 1. Approval;
 - 2. Approval with conditions; or
 - 3. Denial of approval.
- (4) Stage Three.
 - (a) The EPSB shall review the materials and recommendations from the Accreditation Audit Committee and make one (1) of the following determinations with regards to temporary authorization:
 - 1. Approval;
 - 2. Approval with conditions; or
 - 3. Denial of approval.
 - (b) An institution receiving approval or approval with conditions shall:
 - 1. Hold this temporary authorization for two (2) years; and
 - 2. Continue the developmental process and the first accreditation process established in this administrative regulation.
 - (c) An institution denied temporary authorization may reapply.
 - (d) During the two (2) year period of temporary authorization, the institution shall:
 - 1. Admit candidates;
 - 2. Monitor, evaluate, and assess the academic and professional competency of candidates; and
 - 3. Report regularly to the EPSB on the institution's progress.
 - (e) During the two (2) year period of temporary authorization, the EPSB:
 - 1. May schedule additional technical visits; and
 - 2. Shall monitor progress by paper review of annual reports, admission and exit data, and trend data.
- (5) Stage Four.
 - (a) The institution shall host a first accreditation visit within two (2) years of the approval or approval with conditions of temporary authorization.
 - (b) All further accreditation activities shall be governed by the remaining sections of this administrative regulation, which govern the first accreditation of an educator preparation institution.

Agenda Book

Section 4. Schedule and Communications. (1) The EPSB shall send an accreditation and program approval schedule to each educator preparation institution no later than August 1 of each year. The first accreditation cycle shall provide for an on-site continuing accreditation visit at a five (5) year interval. The regular accreditation cycle shall provide for an on-site continuing accreditation visit at a seven (7) year interval.

(2) The accreditation and program approval schedule shall be directed to the official designated by the institution as the head of the educator preparation unit with a copy to the president. The head of the educator preparation unit shall disseminate the information to administrative units within the institution, including the appropriate college, school, department, and office.

(3) The EPSB shall annually place a two (2) year schedule of on-site accreditation visits for a Kentucky institution in the agenda materials and minutes of an EPSB business meeting.

(4) The EPSB shall coordinate dates for a joint state and NCATE accreditation on-site visit.

(5) At least six (6) months prior to a scheduled on-site visit, an institution seeking NCATE or state accreditation shall give public notice of the upcoming visit.

(6) The governance unit for educator preparation shall be responsible for the preparation necessary to comply with the requirements for timely submission of materials for accreditation and program approval as established in this administrative regulation.

Section 5. Annual Reports. (1)(a) Each institution shall report annually to the EPSB to provide data about:

1. Faculty and students in each approved program;
 2. Progress made in addressing areas for improvement identified by its last accreditation evaluation; and
 3. Major program developments in each NCATE standard.
- (b)1. An institution seeking accreditation from NCATE and EPSB shall complete the Professional Educator Data System (PEDS) sponsored by AACTE and NCATE and located online at <http://www.aacte.org>. After the PEDS is submitted electronically, the institution shall print a copy of the completed report and mail it to the EPSB at 100 Airport Road, Frankfort, Kentucky 40601.
2. An institution seeking state-only accreditation shall complete the annual report online at <http://www.kyepsb.net/teacherprep/index.asp> and submit it electronically to the division contact through the EPSB Web site.
- (2)(a) The EPSB shall review each institution's annual report to monitor the capacity of a unit to continue a program of high quality.
- (b) The EPSB may pursue action against the unit based on data received in this report.
- (3) The Reading Committee shall submit a biennial report, based on data submitted in the annual reports, to the unit head in preparation for an on-site accreditation visit.

Section 6. Content Program Review Committee. (1)(a) The EPSB shall appoint and train a content program review committee in each of the certificate areas to provide content area expertise to EPSB staff and the Reading Committee.

(b) Nominations for the content program review committees shall be solicited from the education constituent groups listed in Section 12 of this administrative regulation.

Agenda Book

- (2)(a) A content program review committee shall review an educator preparation program to establish congruence of the program with standards of nationally-recognized specialty program associations and appropriate state performance standards.
- (b) A content program review committee shall examine program content and faculty expertise.
- (3) A content program review committee shall submit written comments to EPSB staff and the Reading Committee for use in the program approval process.
- (4) A content program review committee shall not make any determination or decision regarding the approval or denial of a program.

**E EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Action Item D

Action Item:

16 KAR 6:010. Written Examination Prerequisites for Teacher Certification, Final Action

Applicable Statute and Regulation:

KRS 161.030
16 KAR 6:010

Applicable Goal:

Goal 2: Every professional position in a Kentucky public school is staffed by a properly credentialed educator.

Issue:

Should the EPSB approve amendments to 16 KAR 6:010, Written Examination Prerequisites for Teacher Certification?

Background:

Issue 1: Amend 16 KAR 6:010 to replace a Praxis II test and establish the required cut score and effective date.

At the November 20, 2006, EPSB meeting, staff provided the Board with the results of the June 2006 Standard Setting Study (SSS) for the *Praxis II Education of Exceptional Students: Severe to Profound* (0544). As reported to the Board, the SSS resulted in the validation of the test for Kentucky use.

For the past seven years the EPSB has set cut scores by following the decision rule used in May 1999:

Accept the recommendation of the validation panel unless the recommended cut score:

- 1. falls below the current passing score; or*
- 2. falls below the Southern Regional Education Board (SREB) average; or*
- 3. falls below the 15th national percentile; or*
- 4. exceeds the 25th national percentile.*

Based on the board's past practice of following the May 1999 decision rule, staff recommends the cut score on 0544 be set at 156, which is one standard deviation (SD=15.8) below the SSS recommended value of 172 -- given that 172 exceeds the 25th percentile rule (172 is at the 46th percentile and 156 is at the 17th national percentile). In addition, the recommended cut score of 156 is 10 points above the average SREB state cut score of 146. Currently, 3 out of the 16 SREB states use 0544 (NC, SC, and LA).

Staff recommends the board approve that beginning September 1, 2007, and until August 31, 2008, new teachers be required to successfully complete either the currently required test,

Praxis II Special Education: Teaching Students with Mental Retardation (0321), with the required cut score of 146, or *Praxis II Education of Exceptional Students: Severe to Profound* (0544) with a cut of 156. Then, beginning September 1, 2008, allow 0544 to completely replace 0321 and require all new teachers to successfully complete 0544 with the required cut score of 156.

In addition to this data, the Board requested staff to provide cut scores from other states for teacher certification tests used in Kentucky. Attachment A lists the cut scores from other states for certification tests used in the Commonwealth as well as the average cut score for all states using the tests. A third column shows the average cut score for the SREB states using the tests.

Issue 2: Amend 16 KAR 6:010 to delete dated language and correct typographical errors.

In November 2004, EPSB staff brought an information item to the EPSB regarding a recommendation to amend 16 KAR 6:010 to increase the required cut scores for twelve teacher certification tests.

The EPSB then requested state and national percentile data for the teacher assessments. After discussion with the board and consideration of the disparate effect on minorities, staff modified the cut score recommendations for ten of the twelve tests and withdrew the request to increase the cut scores for the other two. An action item was presented to the EPSB at the January 2005 meeting. The EPSB approved staff's recommended cut scores for the ten new teacher certification assessments.

When the minutes for the January 2005 meeting were compiled, the cut scores provided in the November 2004 information item, not the scores approved at the January 2005 meeting, were inadvertently recorded for five of the ten tests. The five erroneous cut scores were then used when amendments to 16 KAR 6:010 were filed. The following are the affected tests and cut scores.

Test	November 2004 Recommended Cut Score	January 2005 Approved Cut Score
<i>Art: Content Knowledge (0133)</i>	161	158
<i>Middle School Social Studies (0089)</i>	152	149
<i>Social Studies: Interpretation of Materials (0083)</i>	160	159
<i>Business Education (0100)</i>	600	590
<i>Middle School English Language Arts (0049)</i>	160	157

Staff requests that the above typographical errors be corrected in the regulation.

To ensure that this error does not recur, the Executive Director has implemented a new procedure requiring the director of the division initiating regulation changes to review changes prior to the posting of the regulation with the Legislative Research Commission. In addition, each division director will review EPSB meeting minutes prior to being brought back to the EPSB for approval.

Issue 3: Amend 16 KAR 6:010 and waive 16 KAR 2:040 to remove the requirement for an applicant for IECE certification to successfully complete the IECE Specialty Test.

In September 2006, EPSB staff hosted a review of the Interdisciplinary Early Childhood Education (IECE) Test. The review panel, composed of higher education experts and a classroom teacher, agreed unanimously that the IECE test was not current and valid for certifying incoming teachers.

In November 2006, staff communicated to the board that they would like to post a Request for Information (RFI) to solicit from potential vendors information about approximate costs and other issues relevant to test development. The board directed staff to cease the administration of the Interdisciplinary Early Childhood Education (IECE) test for applicants seeking IECE certification until a new test can be developed.

Staff recommends the language in Section 2 of 16 KAR 6:010 be removed and that 16 KAR 2:040 be waived (16 KAR 2:040 is scheduled to be opened later this year and will be amended to remove the test language at that time) that requires an applicant for IECE certification to take an Education Professional Standards Board Interdisciplinary Early Childhood Specialty Test with a passing score of 150.

Alternative Actions

Issue 1: Amend 16 KAR 6:010 to replace a Praxis II test and establish the required cut score and effective date.

5. Approve the proposed amendments to 16 KAR 6:010.
6. Do not approve the proposed amendments to 16 KAR 6:010.

Issue 2: Amend 16 KAR 6:010 to delete dated language and correct typographical errors.

1. Approve the proposed amendments to 16 KAR 6:010.
2. Do not approve the proposed amendments to 16 KAR 6:010.

Issue 3: Amend 16 KAR 6:010 and waive 16 KAR 2:040 to remove the requirement for an applicant for IECE certification to successfully complete the IECE Specialty Test.

1. Approve the proposed amendments to 16 KAR 6:010.
2. Do not approve the proposed amendments to 16 KAR 6:010.

Staff Recommendation

Issue 1: Amend 16 KAR 6:010 to replace a Praxis II test and establish the required cut score and effective date.

Alternative 1

Issue 2: Amend 16 KAR 6:010 to delete dated language and correct typographical errors.

Alternative 1

Issue 3: Amend 16 KAR 6:010 and waive 16 KAR 2:040 to remove the requirement for an applicant for IECE certification to successfully complete the IECE Specialty Test.

Alternative 1

Rationale

Issue 1: Amend 16 KAR 6:010 to replace a Praxis II test, the required cut score, and the effective date.

Given the review panel determined in June 2005 that (0321) had become outdated and the high level of validation of (0544) established by the SSS panel in June 2006, it is clear that (0544) is a more appropriate assessment for potential teachers of students with moderate and severe disabilities than (0321). In addition, a cut score of 156 is an appropriate cut score based on the application of rules used in the past for cut scores approved by the board. Finally, allowing new teachers to be able to use either (0321) or (0544) from September 1, 2007, until August 31, 2008, provides sufficient time for communication of the new test requirement.

Issue 2: Amend 16 KAR 6:010 to delete dated language and correct typographical errors.

The correction of these typographical errors is consistent with the board's original decision in setting these new cut scores. Procedural steps are now in place to prevent this type of error from recurring.

Issue 3: Amend 16 KAR 6:010 and waive 16 KAR 2:040 to remove the requirement for an applicant for IECE certification to successfully complete the IECE Specialty Test.

Removing this language in 16 KAR 6:010 and waiving the testing language in 16 KAR 2:040 are consistent with the direction given by the board in the November 2006 meeting.

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Executive Director

Date:

January 22, 2007

1 **EDUCATION PROFESSIONAL STANDARDS BOARD**

2 **(AMENDMENT)**

3 **16 KAR 6:010. Written examination prerequisites for teacher certification.**

4 RELATES TO: KRS 161.020, 161.028(1), 161.030(3), (4)

5 STATUTORY AUTHORITY: KRS 161.028(1)(a), 161.030(3), (4)

6 NECESSITY, FUNCTION, AND CONFORMITY: KRS 161.028(1)(a) authorizes the

7 Education Professional Standards Board to establish standards and requirements for

8 obtaining and maintaining a teaching certificate. KRS 161.030 (3) and (4) requires the

9 Education Professional Standards Board to select the appropriate assessments required prior
10 to teacher certification. This administrative regulation establishes the written examination
11 prerequisites for teacher certification.

12 Section 1. A teacher applicant for certification shall successfully complete the appropriate
13 written tests identified in this administrative regulation prior to Kentucky teacher
14 certification.

15 Section 2. The Education Professional Standards Board shall require the specialty tests and
16 passing scores identified in this section for each new teacher applicant[] and each teacher
17 seeking an additional certificate. [~~who completes application for certification on or after~~
18 ~~September 1, 2003~~].

19 (1) An [~~applicant for interdisciplinary early childhood education, birth to primary,~~
20 ~~certification shall take an Education Professional Standards Board Interdisciplinary Early~~
21 ~~Childhood Specialty Test, with a passing score of 150.~~

22 (2) ~~Until August 31, 2005, an~~ applicant for elementary certification shall take [~~Elementary~~
23 ~~Education: Curriculum, Instruction, and Assessment (0011) with a passing score of 163 or~~
24 ~~Elementary Education: Content Knowledge (0014) with a passing score of 148. Beginning~~

- 1 ~~September 1, 2005, the applicant shall take]~~ Elementary Education: Content Knowledge
2 (0014) with a passing score of 148.
- 3 (3) An applicant for middle school certification shall take one (1) or two (2) middle school
4 specialty tests based on the applicant's area or areas of specialty with passing scores as
5 identified in this subsection:
- 6 (a) Middle School Mathematics (0069) - 148;
7 (b) Middle School Science (0439) - 139;
8 (c) Middle School English Language Arts (0049) – 157 [160]; or
9 (d) Middle School Social Studies (0089) – 149 [152];
- 10 (4) An applicant for certification for teacher of exceptional children in Communication
11 Disorders, Learning and Behavior Disorders, Hearing Impaired, Hearing Impaired with Sign
12 Proficiency, Visually Impaired, or Moderate and Severe Disabilities shall take each specialty
13 test based on the applicant's specialty with the corresponding passing score as identified in
14 this subsection:
- 15 (a) Communication disorders:
- 16 1. ~~[Until August 31, 2006, Special Education: Application of Core Principles Across~~
17 ~~Categories of Disabilities (0352) – 146 or Education of Exceptional Students: Core Content~~
18 ~~Knowledge (0353) – 157. Beginning September 1, 2006,]~~ Education of Exceptional Students
19 Core Content Knowledge (0353) - 157; and
- 20 2. Speech Language Pathology (0330) - 600;
- 21 (b) Learning and behavior disorders:
- 22 1. ~~[Until August 31, 2006, Special Education: Application of Core Principles Across~~
23 ~~Categories of Disabilities (0352) – 146 or Education of Exceptional Students: Core Content~~
24 ~~Knowledge (0353) – 157. Beginning September 1, 2006,]~~ Education of Exceptional Students:
25 Core Content Knowledge (0353) - 157; and

2. [~~Until August 31, 2006, Special Education: Teaching Students with Behavioral Disorders/Emotional Disturbances (0371) —157 or Education of Exceptional Students: Mild to Moderate Disabilities (0542) —172. Beginning September 1, 2006,~~] Education of Exceptional Students: Mild to Moderate Disabilities (0542) - 172;

(c) Moderate and severe disabilities:

1. [~~Until August 31, 2006, Special Education: Application of Core Principles Across Categories of Disabilities (0352) —146 or Education of Exceptional Students: Core Content Knowledge (0353) —157. Beginning September 1, 2006,~~] Education of Exceptional Students: Core Content Knowledge (0353) - 157; and

<p>2. <u>Until August 31, 2007, Special Education: Teaching Students with Mental Retardation (0321) - 146; or Education of Exceptional Students: Severe to Profound Disabilities (0544) —156. Beginning September 1, 2007, Education of Exceptional Students Severe to Profound Disabilities (0544) — 156.</u></p>
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(d) Hearing impaired:

1. [~~Until August 31, 2006, Special Education: Application of Core Principles Across Categories of Disabilities (0352) —146 or Education of Exceptional Students: Core Content Knowledge (0353) —157. Beginning September 1, 2006,~~] Education of Exceptional Students: Core Content Knowledge (0353) - 157; and

2. Education of Deaf and Hard of Hearing Students (0271) - 167;

(e) Hearing impaired with sign proficiency:

1. [~~Until August 31, 2006, Special Education: Application of Core Principles Across Categories of Disabilities (0352) —146 or Education of Exceptional Students: Core Content Knowledge (0353) —157. Beginning September 1, 2006,~~] Education of Exceptional Students: Core Content Knowledge (0353) - 157;

2. Education of Deaf and Hard of Hearing Students (0271) - 167; and

3. One (1) of the following tests with a passing score of "Intermediate Level":
 - a. Sign Communication Proficiency Interview (SCPI); or
 - b. Educational Sign Skills Evaluation (ESSE).
- (f) Visually impaired:
 1. ~~[Until August 31, 2006, Special Education: Application of Core Principles Across Categories of Disabilities (0352)—146 or Education of Exceptional Students: Core Content Knowledge (0353)—157. Beginning September 1, 2006,]~~ Education of Exceptional Students: Core Content Knowledge (0353) - 157; and
 2. Teaching Students with Visual Impairments (0280) - 700.
- (5) An applicant for certification at the secondary level shall take the content tests corresponding to the applicant's content area with the passing scores identified in this subsection:
 - (a) Biology:
 - ~~[1. From January 24, 2005 through August 31, 2005:~~
 - ~~a. (i) Biology: Content Knowledge Part 1 (0231)—156; and~~
 - ~~(ii) Biology: Content Essays (0233)—141; or~~
 - ~~b. Biology: Content Knowledge (0235)—146; or~~
 - ~~2. Beginning September 1, 2005,]~~ Biology: Content Knowledge (0235) – 146.[;]
 - (b) Chemistry:
 - ~~[1. From January 24, 2005 through August 31, 2005:~~
 - ~~a. (i) General Science: Content Knowledge Part 2 (0432)—146; and~~
 - ~~(ii) Chemistry: Content Knowledge (0241)—138; or~~
 - ~~b. Chemistry: Content Knowledge (0245)—147; or~~
 - ~~2. Beginning September 1, 2005,]~~ Chemistry: Content Knowledge (0245) - 147.[;]
 - (c) English:

- 1 1. English Language and Literature Content Knowledge (0041) - 160; and
- 2 2. English Language, Literature and Composition Essays (0042) - 155.[;]
- 3 (d) Social Studies:
- 4 1. Social Studies: Content Knowledge (0081) - 151; and
- 5 2. Social Studies: Interpretation of Materials (0083) – 159. [160;]
- 6 (e) Mathematics:
- 7 1. Mathematics: Content Knowledge (0061) - 125; and
- 8 2. Mathematics: Proofs, Models, and Problems (0063) - 141.[;]
- 9 (f) Physics:
- 10 ~~[1. From January 24, 2005, through August 31, 2005:~~
- 11 ~~a. (i) General Science: Content Knowledge, Part 2 (0432) – 146; and~~
- 12 ~~(ii) Physics: Content Knowledge (0261) – 114; or~~
- 13 ~~b. Physics: Content Knowledge (0265) – 133; or~~
- 14 ~~2. Beginning September 1, 2005,]~~ Physics: Content Knowledge (0265) – 133.
- 15 (g) Earth science:
- 16 ~~[1. From January 24, 2005, through August 31, 2005:~~
- 17 ~~a. General Science: Content Knowledge, Part 2 (0432) – 146; and~~
- 18 ~~b. Earth Science: Content Knowledge (0571) – 145; or~~
- 19 ~~2. Beginning September 1, 2005,]~~ Earth Science: Content Knowledge (0571) - 145.
- 20 (6) An applicant for certification in all grades in the following specialty areas shall take the
- 21 specialty test or tests with the passing scores as identified in this subsection.
- 22 (a) Art:
- 23 1. Art Content Knowledge (0133) – 158 [161]; and
- 24 2. Art Making (0131) - 154.[;]
- 25 (b) French: French: Content Knowledge (0173) - 159.[;]

- 1 (c) German: German: Content Knowledge (0181) - 157.~~1~~
- 2 (d) Health: Health Education (0550) - 630.~~1~~
- 3 (e) Latin: Latin (0600) - 700.~~1~~
- 4 (f) Integrated music:
 - 5 1. Music: Content Knowledge (0113) - 154; and
 - 6 2. Music: Concepts and Processes (0111) - 145.~~1~~
- 7 (g) Vocal music:
 - 8 1. Music: Content Knowledge (0113) - 154; and
 - 9 2. Music: Concepts and Processes (0111) - 145.~~1~~
- 10 (h) Instrumental music:
 - 11 1. Music: Content Knowledge (0113) - 154; and
 - 12 2. Music: Concepts and Processes (0111) - 145.~~1~~
- 13 (i) Physical education:
 - 14 1. Physical Education: Content Knowledge (0091) - 147; and
 - 15 2. Physical Education: Movement Forms-Analysis and Design (0092) - 151.~~1~~
- 16 (j) Spanish: Spanish: Content Knowledge (0191) - 160.~~1~~
- 17 (k) School Media Librarian: Library Media Specialist (0310) – 640.~~1~~~~0~~
- 18 (l) School Psychologist: NTE Specialty Area Examination - 630.
- 19 (7) An applicant for career and technical education certification to teach in grades 5-12 with
- 20 one (1) or more of the following specializations shall take the specialty tests with the passing
- 21 scores as identified in this subsection:
 - 22 (a) Agriculture: Agriculture (0700) - 520.~~1~~
 - 23 (b) Business and Marketing Education - Business Education (0100) – 590. [~~600~~]
 - 24 (c) Family and Consumer Sciences [~~–Home Economics Education~~] (0120) - 600.~~1~~
 - 25 (d) Technology Education - Technology Education (0050) – 600.~~1~~~~0~~

- 1 (e) Industrial education. An applicant for industrial education with one (1) or more trade and
2 industry specializations shall complete the assessments established in 16 KAR 6:020.
- 3 (8) An applicant for a restricted base certificate in the following specialty areas shall take the
4 specialty test or tests with the passing scores identified in this subsection:
- 5 (a) English as a Second Language: English to Speakers of Other Languages (0360) - 620.[;]
6 (b) Speech/Media Communications: Speech Communication (0220) – 580.[;–~~or~~]
7 (c) Theater: Theatre (0640) - 630.
- 8 (9) An applicant for an endorsement in the following specialty areas shall take the specialty
9 test or tests with the passing scores identified in this subsection:
- 10 (a) English as a Second Language: English to Speakers of Other Languages (0360) - 620.[;
11 ~~or~~]
12 (b) Learning and Behavior Disorders, grades 8-12: [~~Until August 31, 2006, Teaching~~
13 ~~Students with Behavioral Disorders/Emotional Disturbances (0371) – 157. Beginning~~
14 ~~September 1, 2006,~~] Education of Exceptional Students: Mild to Moderate Disabilities
15 (0542) - 172.
- 16 Section 3. In addition to the specialty area tests established in Section 2 of this administrative
17 regulation, the Education Professional Standards Board shall require the pedagogy tests and
18 passing scores identified in this section for each new teacher applicant [~~beginning September~~
19 ~~1, 2003~~]. If an individual is seeking additional certification in any area, the applicant need
20 only take one (1) of the pedagogy tests identified in this administrative regulation.
- 21 (1) An applicant for elementary certification (grades P-5) shall take Principles of Learning
22 and Teaching: Grades K-6 (0522) - 161.
- 23 (2) An applicant for middle school certification grades five (5) through nine (9) shall take
24 Principles of Learning and Teaching: Grades 5-9 (0523) - 161.

(3) An applicant applying only for certification for teacher of exceptional children shall not be required to take a separate pedagogy test established in this section. The specialty area tests established in Section 2 of this administrative regulation shall fulfill the pedagogy test requirement for a teacher of exceptional children.

(4) An applicant for certification at the secondary level grades eight (8) through twelve (12) shall take Principles of Learning and Teaching: Grades 7-12 (0524) - 161.

(5) An applicant for certification in all grades with a specialty area (e.g., art, music, etc.) shall take either:

(a) Principles of Learning and Teaching: Grades K-6 (0522) - 161;

(b) Principles of Learning and Teaching: Grades 5-9 (0523) - 161; or

(c) Principles of Learning and Teaching: Grades 7-12 (0524) - 161.

(6) An applicant for career and technical education certification in grades five (5) through twelve (12) shall take either:

(a) Principles of Learning and Teaching: Grades 5-9 (0523) - 161; or

(b) Principles of Learning and Teaching: Grades 7-12 (0524) - 161.

(7) An applicant for a restricted base certificate shall take one (1) of the following pedagogy tests corresponding to the grade range of the specific restricted base certificate:

(a) Principles of Learning and Teaching: Grades K-6 (0522) - 161;

(b) Principles of Learning and Teaching: Grades 5-9 (0523) - 161; or

(c) Principles of Learning and Teaching: Grades 7-12 (0524) - 161.

Section 4. Assessment Recency. (1) A passing score on a test established at the time of administration ~~[in this administrative regulation and completed on or after January 1, 2002]~~ shall be valid for the purpose of applying for certification for five (5) years from the test administration date.

(2) A teacher who fails to complete application for certification to the Education Professional Standards Board within the applicable recency period of the test and with the passing score established at the time of administration~~[in this administrative regulation]~~ shall retake the appropriate test or tests and achieve the appropriate passing score or scores required for certification at the time of application.

(3) The test administration date shall be established by the Educational Testing Service or other authorized test administrator.

Section 5. (1) An applicant for initial certification shall take the assessments on a date established by:

(a) The Educational Testing Service;

(b) The Education Professional Standards Board for special administration; or

(c) The agency established by the Education Professional Standards Board as the authorized test administrator.

(2) An applicant shall authorize test results to be forwarded by the Educational Testing Service, or other authorized test administrator, to the Kentucky Education Professional Standards Board and to the appropriate teacher preparation institution where the applicant received the relevant training.

(3)(a) Public announcement of testing dates and locations shall be issued sufficiently in advance of testing dates to permit advance registration.

(b) An applicant shall seek information regarding the dates and location of the tests and make application for the appropriate examination prior to the deadline established and sufficiently in advance of anticipated employment to permit test results to be received by the Education Professional Standards Board and processed in the normal certification cycle.

Section 6. An applicant shall pay the appropriate examination fee established by the Educational Testing Service or other authorized test administrator for each relevant test required to be taken.

Section 7. An applicant who fails to achieve at least the minimum score on any of the appropriate examinations may retake the test or tests during one (1) of the scheduled test administrations.

Section 8. The Education Professional Standards Board shall collect data and conduct analyses of the scores and institutional reports provided by the Educational Testing Service or other authorized test administrator to determine the impact of these tests and permit a review of this administrative regulation on an annual or biennial basis.

Date

Tom Stull, Chairperson
Education Professional Standards Board

PUBLIC HEARING AND PUBLIC COMMENT PERIOD: A public hearing on this administrative regulation shall be held on March 26, 2007 at 9:00 a.m. at the offices of the Education Professional Standards Board, 100 Airport Road, 3rd Floor, Conference Room A, Frankfort, Kentucky 40601. Individuals interested in being heard at this hearing shall notify this agency in writing by March 19, 2006 five workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing is received by that date, the hearing may be canceled. This hearing is open to the public. Any person who wishes to be heard will be given an opportunity to comment on the proposed administrative regulation. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted until April 2, 2007. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person.

Contact Person: Alicia A. Sneed, Director of Legal Services
Education Professional Standards Board
100 Airport Road, Third Floor
Frankfort, KY 40601
(502) 564-4606
FAX: (502) 564-7080

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Contact Person:

(1) Provide a brief summary of:

(a) What this administrative regulation does: Specifies assessment requirements for Kentucky teacher certification.

(b) The necessity of this administrative regulation: KRS 161:028 (1)(a) requires the EPSB to establish requirements for obtaining and maintaining a teaching certificate. KRS 161:030 (3)(a) states that the certification of all new teachers and teachers seeking additional certification shall complete the appropriate assessment requirements.

(c) How this administrative regulation conforms to the content of the authorizing statutes: (See answer b above)

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: Establishes assessment requirements, corresponding cut scores, and effective dates.

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation: Remove beginning and end effective dates of test and/or test cut score changes that are in the past, correct incorrect cut scores for existing assessments, correct the name of one currently required test, add the adoption of one new test.

(b) The necessity of the amendment to this administrative regulation: Clarification of assessments required for teacher certification and their corresponding cut scores and effective dates, verification of EPSB approved cut scores as set in 2005 and January 2006.

(c) How the amendment conforms to the content of the authorizing statutes: Establishes assessment requirements, corresponding cut scores, and effective dates.

(d) How the amendment will assist in the effective administration of the statutes: Clarify assessments required for teacher certification and their corresponding cut scores and effective dates, verification of EPSB approved cut scores as set in 2005 and January 2006 for teacher candidates, certification officers, Higher Education faculty, EPSB staff, and the public.

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: certification officers and higher education faculty of the twenty nine colleges/universities from which we obtain certification recommendations, EPSB staff-, and the public.

(4) Provide an analysis of how the entities identified in question (3) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an

amendment, including:

(a) List the actions that each of the regulated entities identified in question (3) will have to take to comply with this administrative regulation or amendment:

Certification officers & higher education faculty- notify teacher candidates, reflect changes in any curriculum contracts; EPSB staff- Notify the Educational Testing Service (ETS) of any changes in order to reflect current information on their website, make changes to EPSB assessment page of website, notify certification officers and higher education faculty.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3):

Certification officers and higher education faculty – no additional cost

EPSB staff- no additional cost

Public-The newly adopted test (0544) is \$15.00 more than the currently required test (0321).

(c) As a result of compliance, what benefits will accrue to the entities identified in question (3):

All-Because the new test is more closely aligned to needs of the classroom, teacher preparation and thus preparedness for the classroom, should improve.

(5) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:

(a) Initially: N/A

(b) On a continuing basis: N/A

(6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation: Testing fees are provided by the examinees.

(7) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment: The newly adopted test (0544) is \$15.00 more than the currently required test (0321). This is a cost to the examinee.

(8) State whether or not this administrative regulation established any fees or directly or indirectly increased any fees: The newly adopted test (0544) is \$15.00 more than the currently required test (0321). This is a cost to the examinee.

(9) TIERING: Is tiering applied? (Explain why or why not) Tiering is not applicable to requirements in this administrative regulation.

FISCAL NOTE ON STATE OR LOCAL GOVERNMENT

Regulation No. 16 KAR 6:010

Contact Person: Cindy Owen

1. Does this administrative regulation relate to any program, service, or requirements of a state or local government (including cities, counties, fire departments, or school districts)?

Yes ☒ No ☐

If yes, complete questions 2-4.

2. What units, parts or divisions of state or local government (including cities, counties, fire departments, or school districts) will be impacted by this administrative regulation? all

3. Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation.

KRS 161:028 (1)(a) requires the EPSB to establish requirements for obtaining and maintaining a teaching certificate. KRS 161:030 (3)(a) states that the certification of all new teachers and teachers seeking additional certification shall complete the appropriate assessment requirements.

4. Estimate the effect of this administrative regulation on the expenditures and revenues of a state or local government agency (including cities, counties, fire departments, or school districts) for the first full year the administrative regulation is to be in effect. negligible

(a) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for the first year? N/A

(b) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for subsequent years? N/A

(c) How much will it cost to administer this program for the first year? The regulatory changes are being made to reflect updates to a currently existing program. The administration costs of the assessment program are approximately \$25,000.00 per year.

(d) How much will it cost to administer this program for subsequent years?
See answer c above.

Note: If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.

Revenues (+/-):

Expenditures (+/-):

Other Explanation:

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Action Item E

Action Item:

16 KAR 1:040. Teachers' National Certification Incentive Trust Fund, Final Action

Applicable Statutes and Regulation:

KRS 161.132; KRS 161.133; KRS 161.134
16 KAR 1:040

Applicable Goals:

Goal 4: Every credentialed educator participates in a high quality induction into the profession and approved educational advancement programs that support effectiveness in helping all students achieve.

Goal 6: The EPSB shall be managed for both effectiveness and efficiency, fully complying with all statutes, regulations and established federal, state, and agency policies.

Issue:

Should the Education Professional Standards Board (EPSB) waive language in 16 KAR 1:040 to allow more than twenty-five percent of the allotment from the General Assembly to be used for National Board for Professional Teaching Standards mentoring services?

Background:

KRS 161.133 establishes a Teachers' National Certification Incentive Trust Fund. One of the purposes of the fund is to provide stipends for National Board Certified Teachers (NBCTs) who serve as mentors to other teachers pursuing National Board Certification. The statute further directs EPSB to establish procedures for the administration of the funds, which EPSB has done via administrative regulation 16 KAR 1:040.

16 KAR 1:040 Section 7(5)(a) states: "A national board-certified teacher who serves as a mentor...shall receive a stipend of \$500 for each teacher the national board-certified teacher is mentoring." Section 7(5)(c) states: "The Education Professional Standards Board shall not use more than twenty-five (25) percent of the allotment from the General Assembly to cover the cost of mentoring."

The current allotment from the General Assembly is \$800,000. Twenty-five percent (25%) allowed to cover the cost of mentoring is \$200,000.

Since the beginning of the NBPTS program, the number of national board candidates in Kentucky has increased thereby increasing the amount of money needed to provide mentoring services. While not all of the National Board candidates certify, all are entitled to mentoring services. The certification rate in Kentucky is approximately 50% for first year candidates.

As of November 29, 2006, Kentucky has 404 National Board candidates. The estimated mentoring cost for these candidates is \$256,540, which is 32% of the amount allotted for mentoring services.

Alternative Actions:

1. Approve the waiver of language in 16 KAR 1:040 that limits the amount for mentoring services to 25% of the amount provided by the General Assembly.
2. Do not approve the waiver of language in 16 KAR 1:040 that limits the amount for mentoring services to 25% of the amount provided by the General Assembly.

Staff Recommendation:

Alternative 1

Rationale:

EPSB staff desires to support all teachers who want to pursue National Board Certification. National Board candidates in Kentucky believe having a mentor throughout the certification process is critical to their success.

Contact Person:

Ms. Cindy Owen, Director
Division of Professional Learning and Assessment
(502) 573-4606
E-mail: cindy.owen@ky.gov

Executive Director

Date:

January 22, 2007

16 KAR 1:040. Teachers' National Certification Incentive Trust Fund.

RELATES TO: KRS 157.395, 161.131, 161.132, 161.133, 161.134

STATUTORY AUTHORITY: KRS 161.133(3), 161.134(3)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 161.133 establishes the Teachers' National Certification Incentive Trust

Fund. KRS 161.133(3) requires the Education Professional Standards Board to promulgate an administrative regulation to establish procedures for the administration of the fund and the requirements for participating teachers and local boards of education. KRS

161.134(3) requires the Education Professional Standards Board to promulgate an administrative regulation to establish the parameters for mentoring programs utilizing national board certified teachers. This administrative regulation establishes participation requirements and payment procedures relating to this fund.

Section 1. Definitions. (1) "Advanced candidate" means a candidate enrolled in the incentive program who has failed to successfully complete the assessments for national board certification during the first year of enrollment.

(2) "Assessment" means the certification requirements established by the National Board for Professional Teaching Standards.

(3) "Candidate" means a Kentucky teacher who has successfully registered with the National Board for Professional Teaching Standards to complete the assessments in a given application period.

(4) "Cohort" means a group of school districts, collaborating districts, or educational cooperatives.

(5) "Incentive Program" means the Teachers' National Certification Incentive Trust Fund established under the provisions of KRS 161.133.

Section 2. (1) To apply to receive payments from the incentive program, a Kentucky teacher shall register with the National Board for Professional Teaching Standards by January 31 of the calendar year for which the teacher is seeking payment.

(2) Upon receipt of notification of enrollment from the National Board for Professional Teaching Standards, the Education

Professional Standards Board shall send the candidate written confirmation of enrollment in the Teacher's National Certification

Incentive Trust Fund and a Statement of Intent Form.

(3) The candidate shall provide the following information on the Statement of Intent Form:

(a) The signature of the district superintendent;

(b) The candidate's actual out-of-pocket expenses toward the certification fee; and

(c) Information about each third-party payment made on behalf of the teacher toward the certification fee by a local school district, the Candidate Subsidy Program offered by the National Board for Professional Teacher Standards, or other educational or noneducational entity.

(4) The candidate shall return the completed Statement of Intent Form to the Education Professional Standards Board within thirty (30) calendar days.

(5) The Education Professional Standards Board shall indicate the return due date for each Statement of Intent Form mailed to a candidate.

(6) A candidate that fails to return the completed Statement of Intent Form by the indicated due date shall not be eligible for incentive program funds in the current fiscal year.

Section 3. (1) A candidate enrolled for participation in the incentive program under Section 2 of this administrative regulation shall submit the required portfolio to the National Board for Professional Teaching Standards by the required due date established by the National Board.

(2) By June 1, the Education Professional Standards Board shall notify the candidate of the amount of payment to be made under this administrative regulation.

Section 4. (1) After the candidate submits the portfolio, the Education Professional Standards Board shall send the superintendent a payment voucher, Form NBC-2. The superintendent, on behalf of the local board of education, shall submit Form NBC-2 for reimbursement for substitute teachers employed to allow up to five (5) days of released time for the teacher pursuing national board certification who has been enrolled for participation in the incentive program under Section 2 of this administrative regulation.

(2) The superintendent shall submit payment voucher Form NBC-2 by June 15 following the school year in which the released time was used by the teacher pursuing national board certification.

(3) The teacher pursuing national board certification shall adhere to the local board of education policy or procedure for the procurement of substitute teachers.

Section 5. (1) A candidate who does not successfully complete the certification process of the National Board for Professional

Teaching Standards in the first year may choose to bank the scores and retake the assessment or a portion of the assessment in a subsequent year.

(2) An advanced candidate who is banking scores or retaking the assessment shall:

(a) Complete the registration process established in Section 2 of this administrative regulation; and

(b) Submit the written documentation established in Section 3(1) of this administrative regulation.

(3)(a) The employing school district of an advanced candidate who is banking scores or retaking the assessment may request reimbursement for compensation of substitute teachers employed to allow released time for the advanced candidate pursuing national board certification.

(b) The total reimbursement for released time shall not exceed five (5) days for the two (2) year period.

(c) Upon notification of receipt of the portfolio by the National Board for Professional Teaching Standards, the Education

Professional Standards Board shall mail the advanced candidate Form NBC-2 indicating the number of reimbursable released days

available to the candidate in the second year. A copy of Form NBC-2 shall be sent to the employing school district.

(d) Form NBC-2 shall be returned by the superintendent, on behalf of the employing local board of education, to the Education

Professional Standards Board by June 15 following the school year in which the advanced candidate pursuing national board certification used the released time.

Section 6. (1) Upon receipt of confirmation of the successful completion of national board certification from the National Board for

Professional Teaching Standards, the Education Professional Standards Board shall issue reimbursement for actual out-of-pocket

expenses up to seventy-five (75) percent of the initial certification fee.

(2) The Education Professional Standards Board shall not reimburse a teacher for any fees associated with banking scores or retaking the assessment.

(3) Based upon funding from the Kentucky General Assembly, the Education Professional Standards Board may limit candidate

participation and payments to advanced candidates. All allocated funds that are not expended in the current fiscal year shall be

deposited into the incentive trust fund for use by candidates in succeeding fiscal years.

(4) The Education Professional Standards Board shall only authorize payment for which other funds, other than a repayable loan, have not been received.

(5) If sufficient funds are not available to fully fund all of the payments to all candidates in a given year under Sections 3 and 4 of

this administrative regulation, the Education Professional Standards Board shall prorate the specific types of payments to ensure that all candidates enrolled in the incentive program in a given year are benefited equally. In prorating the payments to incentive program participants, the Education Professional Standards Board shall prioritize payments to all candidates in the following manner:

- (a) Reimbursement of up to seventy-five (75) percent of the national board certification fee paid by candidates or advanced candidates enrolled in the trust fund shall be the first priority.
 - (b) Reimbursement to the district for substitute teachers used to provide up to five (5) days of released time for the candidate shall be the second priority.
 - (c) Payment to candidates of the \$200 per day for two (2) days shall be the third priority.
 - (d) Reimbursement to the district for substitute teachers used to provide released time for advanced candidates shall be the fourth priority.
 - (e) Payment to advanced candidates of the \$200 per day for two (2) days shall be the final priority.
- (6) If there is insufficient funding, the Education Professional Standards Board shall, taking into consideration the priorities established under subsection (5) of this section, pay only as much of the payments under subsection (5)(b) of this section as funds will allow, before paying any payments under subsection (5)(c), (d), or (e) of this section.

Section 7. (1) A local school district or cohort may submit a proposal to the Education Professional Standards Board for a stipend for a national board certified teacher who serves as a mentor to candidates.

(2) The proposal shall be submitted on or before June 1 preceding the school year in which the mentoring will occur.

(3) The proposal shall be reviewed by the Education Professional Standards Board based upon adherence with the information

contained within the request for proposals and the following documented components:

- (a) Evidence of cooperation with the applicable school-based decision making councils;
- (b) Identification of each teacher the national board certified teacher will be mentoring;
- (c) The length and structure of the mentoring program;
- (d) The goals and objectives of the mentoring program;
- (e) The mentoring program's impact on student learning;
- (f) The mentoring program's effect on teacher participants' professional growth and development; and
- (g) The stipend amount requested for the national board certified teacher serving as the mentor.

(4) A school district or cohort mentoring program approved by the Education Professional Standards Board shall submit a

summary at the conclusion of the program detailing how the components identified in subsection (3) of this section were addressed

and listing the mentoring program's accomplishments.

(5)(a) A national board-certified teacher who serves as a mentor in a program approved under this section of this administrative

regulation shall receive a stipend of \$500 for each teacher the national board-certified teacher is mentoring.

(b) A cohort model mentoring program may request additional funds to support the cohort and its activities.

(c) The Education Professional Standards Board shall not use more than twenty-five (25) percent of the allotment from the

General Assembly to cover the cost of mentoring.

(6) A national board-certified teacher who is teaching full time shall not mentor more than six (6) teachers pursuing national board

certification in a school year.

Section 8. (1) Payments made from this fund under the requirements of this administrative regulation shall be disbursed directly to the local school district in which the teacher pursuing national board certification is employed or to the fiscal agent of a cohort model.

(2) The local school district or the fiscal agent of a cohort model shall be responsible for deducting any relevant withholdings prior to disbursing the funds to the teacher.

(3) The local school district shall be responsible for the salary supplement established in KRS 157.395 for a teacher obtaining national board certification.

Section 9. Incorporation by Reference. (1) The following material is incorporated by reference:

(a) Statement of Intent Form, revised 9/2003; and

(b) Form NBC-2, revised 9/2003;.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Education Professional

Standards Board, 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m. (27 Ky.R.

1120; Am. 1478; eff. 12-21-2000; 28 Ky.R. 150; eff. 9-5-01; Recodified from 704 KAR 20:750, 7-2-02; 30 Ky.R. 370; 842; eff. 10-31-

03.)

EDUCATION PROFESSIONAL STANDARDS BOARD

STAFF NOTE

Action Item, Waiver A

Action Item:

Exceptional Children Teacher Assignment Waivers

Applicable Statute and/or Regulation:

16 KAR 4:020

Applicable Goal:

Goal 2: Every professional position in a Kentucky public school is staffed by a properly credentialed educator.

Issue:

Should the Education Professional Standards Board (EPSB) approve the teaching assignment waiver(s) as recommended by the Division of Exceptional Children Services (DECS) and EPSB staff?

Background:

In May 2000, the EPSB approved the Waiver of Assignment Requirements for Teachers of Exceptional Children (16 KAR 4:020, Section 4) Policy and Procedure (copy attached). Staff and DECS recommend that the following assignment waivers be approved:

Bowling Green Independent Carla Quick	Current Certification LBD	Assignment HI
Henderson County Janyna Lorraine	Current Certification LBD	Assignment FMD

Alternative Actions:

1. Approve staff recommendations
2. Modify and approve staff's recommendations
3. Do not approve staff's recommendations

Staff's Recommendations:

Alternative 1

Rationale:

Approval is in keeping with the enabling legislation and all DECS recommendations have been reviewed by staff.

Contact Person:

Mr. Michael C. Carr, Director
Division of Certification
(502) 564-4606
E-mail: mike.carr@ky.gov

Executive Director

Date:

January 22, 2007

16 KAR 4:020. Certification requirements for teachers of exceptional children.

RELATES TO: KRS 157.200, 157.250, 161.020, 161.028(1), 161.030, 161.100, 20 U.S.C. 1221(e), 1400-1419

STATUTORY AUTHORITY: KRS 161.020, 161.028(1)(a)

NECESSITY, FUNCTION, CONFORMITY: KRS 161.020 and 161.028 require the Education Professional Standards Board to establish standards and requirements for obtaining and maintaining a teaching certificate for all public school positions, including those for teaching exceptional children. This administrative regulation establishes the certification requirements for teachers of exceptional children.

Section 1. Certification Requirements for Assignment of Special Education Personnel. (1) Mild mental disability (MMD). A teacher holding the following certification shall be assigned to serve pupils with mild mental disabilities at any grade level:

- (a) Certification for learning and behavior disorders, grades K-12, P-12, or seven (7) through twelve (12); or
- (b) Certification for teaching the educable mentally retarded, educable mentally handicapped, emotionally disturbed, or neurologically impaired, grades one (1) through twelve (12), one (1) through eight (8), or seven (7) through twelve (12).

(2) Orthopedic impairment (OI).

(a) A teacher holding the following certification shall be assigned to serve pupils with orthopedic impairments at any grade level:

- 1. Certification for orthopedically handicapped or physically handicapped, grades one (1) through twelve (12), one (1) through eight (8), or seven (7) through twelve (12); or
- 2. Certification for teaching exceptional children.

(b) A teacher possessing one (1) of the certificates identified in paragraph (a)2 of this subsection shall be assigned based on the learning characteristics and services needs of the child.

(3) Other health impairment (OHI).

(a) A teacher shall be assigned to serve pupils identified as other health impaired at any grade level based upon the learning characteristics and services needs of the child; and

(b) A teacher assigned to pupils identified as other health impaired shall possess a certificate for teaching exceptional children.

(4) Specific learning disability (LD). A teacher holding the following certification shall be assigned to serve pupils with learning disabilities at any grade level:

- (a) Certification for learning and behavior disorders, grades K-12, P-12, or seven (7) through twelve (12); or
- (b) Certification for teaching the educable mentally retarded, educable mentally handicapped, emotionally disturbed, or neurologically impaired, grades one (1) through twelve (12), one (1) through eight (8), or seven (7) through twelve (12).

(5) Developmental delay (DD). A teacher holding the following certification shall be assigned to serve pupils with developmental delay at any grade level:

- (a) Certification for learning and behavior disorders, grades K-12, P-12, or seven (7) through twelve (12); or
- (b) Certification for teaching the educable mentally retarded, educable mentally handicapped, emotionally disturbed, or neurologically impaired, grades one (1) through twelve (12), one (1) through eight (8), or seven (7) through twelve (12).

(6) Emotional-behavioral disability (EBD).

(a) A teacher holding the following certification shall be assigned to serve pupils identified as emotional-behavioral disabled at any grade level:

- 1. Certification for learning and behavior disorders, grades K-12, P-12, or seven (7) through twelve (12);
- 2. Certification for teaching the educable mentally retarded, educable mentally handicapped, emotionally disturbed, or neurologically impaired, grades one (1) through twelve (12), one (1) through eight (8), or seven (7) through twelve (12); or
- 3. Certification for teaching exceptional children.

(b) A teacher possessing one (1) of the certificates identified in paragraph (a)6 of this subsection shall be assigned based on the learning characteristics and services needs of the child.

(7) Functional mental disability (FMD). A teacher holding the following certification shall be assigned to serve pupils with functional mental disabilities at any grade level:

- (a) Certification for trainable mentally handicapped, grades K-12;
- (b) Certification for teaching the trainable mentally retarded, grades one (1) through twelve (12), one (1) through eight (8), or seven (7) through twelve (12);

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- (c) Certification for teaching the severely and profoundly handicapped at any grade level; or
- (d) Certification for teaching the moderately and severely disabled, grades P-12.
- (8) Multiple disabilities (MD).
 - (a) A teacher shall be assigned to pupils at any grade level who have multiple disabilities consistent with the nature of each of the student's different disabilities and based on the learning characteristics and services needs of the child; and
 - (b) A teacher assigned to pupils with multiple disabilities shall possess a certificate for teaching exceptional children.
- (9) Deaf-blindness.
 - (a) A teacher shall be assigned to serve pupils identified with deaf-blindness at any grade level based on the learning characteristics and services needs of the child; and
 - (b) A teacher assigned to pupils identified with deaf-blindness shall possess a certificate for teaching exceptional children.
- (10) Autism.
 - (a) A teacher shall be assigned to serve pupils identified with autism at any grade level based on the learning characteristics and services needs of the child; and
 - (b) A teacher assigned to pupils identified with autism shall possess a certificate for teaching exceptional children.
- (11) Traumatic brain injury (TBI).
 - (a) A teacher shall be assigned to serve pupils identified as having a traumatic brain injury at any grade level based on the learning characteristics and services needs of the child; and
 - (b) A teacher assigned to pupils identified as having a traumatic brain injury shall possess a certificate for teaching exceptional children.
- (12) Hearing impaired (HI). A teacher holding the following certification shall be assigned to serve pupils with hearing impairments at any grade level:
 - (a) Certification for teaching the hard of hearing, deaf, or hearing impaired, grades K-12, one (1) through twelve (12), one (1) through eight (8), or seven (7) through twelve (12); or
 - (b) Certification for teaching the hearing impaired, grades P-12.
- (13) Visually impaired (VI). A teacher holding the following certification shall be assigned to serve pupils with visual impairments at any grade level:
 - (a) Certification for teaching the partially seeing, blind, or visually impaired, grades one (1) through twelve (12), one (1) through eight (8), or seven (7) through twelve (12); or
 - (b) Certification for teaching the visually impaired, grades P-12.
- (14) Communication disorders. A teacher holding the following certification shall be assigned to serve pupils who have been identified as needing instruction for speech or language disorders at any grade level:
 - (a) Certification for speech and hearing, grades one (1) through twelve (12);
 - (b) Certification for speech and communication disorders, grades K-12; or
 - (c) Certification for communication disorders, grades P-12.

Section 2. Certification Requirements for Assignment of Interdisciplinary Early Childhood Education Teachers for the Provision of Special Education Services. (1) A teacher holding the following qualifications shall be assigned to serve birth to primary pupils who have been identified as needing special education services:

- (a) Certification for interdisciplinary early childhood education offered under 16 KAR 2:140 and 16 KAR 2:040;
 - (b) Exemption identified in 16 KAR 2:040; or
 - (c) Qualifications set forth in 704 KAR 3:410, Section 7(1)(a).
- (2) A special education teacher identified in Section 1 of this administrative regulation shall not be precluded from providing services in the teacher's certification area to birth to primary pupils with disabilities if that certification is valid for the primary ages.

Section 3. Probationary and Emergency Provisions. (1) If no regularly certified teacher as delineated in Sections 1 and 2 of this administrative regulation is available to provide the special education services, the local district may employ a teacher certified on a probationary status under 16 KAR 2:160.

(2) If no probationary certified special education teacher is available, the district may employ a teacher certified on an emergency status under the requirements of KRS 161.100 and 16 KAR 2:120.

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Action Item, Waiver B

Action Item:

Waiver of the Cooperating Teacher Eligibility Requirements

Applicable Statutes and Regulation:

16 KAR 5:040, Section 2 (d)

Applicable Goal:

Goal 1: Every approved educator preparation program meets or exceeds all accreditation standards and prepares knowledgeable, capable teachers and administrators who demonstrate effectiveness in helping all students reach educational achievement.

Issue:

Should the Education Professional Standards Board grant a waiver of the cooperating teacher eligibility requirements?

Background:

Dr. Cathy Gunn, Dean, College of Education, Morehead State University, is requesting a waiver of 16 KAR 5:040, Section 2 (d), which requires a cooperating teacher to have taught in their present school system of employment for at least one year immediately prior to being assigned a student teacher on behalf of Ms. Johnnie Bishop. The request is for spring 2007.

This request is made in order to arrange dual level placement for a student teacher in the music education program at the Morehead State University. Ms. Bishop has taught for 12 years and has attained a Rank II. Because she transferred to the Fayette County School District this fall, she does not meet the one year employment requirement. Ms. Bishop comes recommended by her current principal at Southern Middle School. She fully meets the all other requirements of the regulation

A copy of Dr. Gunn's letter, other supporting documentation, and the pertinent part of the regulation are attached.

Alternative Actions:

1. Approve the waiver request
2. Deny the waiver request

Contact Person:

Dr. Marilyn Troupe, Director
Division of Educator Preparation
(502) 564-4606
E-mail: marilyn.troupe@ky.gov

Executive Director

Date:

January 22, 2007

16 KAR 5:040. Admission, placement, and supervision in student teaching.

RELATES TO: KRS 161.020, 161.028, 161.030, 161.042

STATUTORY AUTHORITY: KRS 161.028, 161.030, 161.042

NECESSITY, FUNCTION, AND CONFORMITY: KRS 161.028 requires that educator preparation institution be approved for offering the preparation program corresponding to a particular certificate on the basis of standards and procedures established by the Education Professional Standards Board. KRS 161.030 requires that a certificate shall be issued to a person who has completed a program approved by the Education Professional Standards Board. KRS 161.042 requires the Education Professional Standards Board to promulgate an administrative regulation relating to student teachers, including the qualifications for supervising teachers. This administrative regulation establishes the standards for admission, placement, and supervision in student teaching.

Section 1. Definition. "Cooperating teacher" or "supervising teacher" means a teacher employed in a school in Kentucky who is contracting with an educator preparation institution to supervise a student teacher for the purpose of fulfilling the student teaching requirement of the approved educator preparation program.

Section 2. Cooperating Teacher Eligibility Requirements. (1) Except as provided in subsection (2) of this section, the cooperating teacher, whether serving in a public or nonpublic school, shall have:

- (a) A valid Kentucky teaching certificate for each grade and subject taught;
- (b) Attained Rank II certification;
- (c) At least three (3) years of teaching experience on a Professional Certificate; and
- (d) Taught in the present school system at least one (1) year immediately prior to being assigned a student teacher.

(2) If a cooperating teacher has not attained Rank II certification, the teacher shall have attained a minimum of fifteen (15) hours of approved credit toward a Rank II within a minimum period of five (5) years.

(3) Teachers assigned to a teaching position on the basis of a probationary or emergency certificate issued by the Education Professional Standards Board shall not be eligible for serving as a cooperating teacher.

(4) In selecting a cooperating teacher, the district shall give consideration to the following criteria:

- (a) A demonstrated ability to engage in effective classroom management techniques that promote an environment conducive to learning;
- (b) An ability to model best practices for the delivery of instruction;
- (c) A mastery of the content knowledge or subject matter being taught;
- (d) The demonstration of an aptitude and ability to contribute to the mentoring and development of a preservice educator;
- (e) An ability to use multiple forms of assessment to inform instruction; and
- (f) An ability to create a learning community that values and builds upon student's diverse cultures.

Section 3. Admission to Student Teaching. In addition to the appropriate sections of the National Council for Accreditation of Teacher Education (NCATE) standards which are incorporated under 16 KAR 5:010, each educator preparation institution shall determine minimum standards for admission to student teaching which shall include the procedures established in this section. Admission to student teaching shall include a formal application procedure for each teacher candidate.

(1) A record or report from a valid and current medical examination, which shall have included a tuberculosis test, shall be placed on file with the admissions committee.

(2) Prior to and during the student teaching experience, the teacher candidate shall adhere to the Professional Code of Ethics for Kentucky School Personnel established in 16 KAR 1:020.

Section 4. Teacher-student Ratio. The ratio of student teachers to cooperating teachers shall be one (1) to one (1).

Section 5. College Supervisor. (1) The college supervisor shall make periodic observations of the student teacher in the classroom and shall prepare a written report on each observation and share it with the student teacher.

(2) The observation reports shall be filed as a part of the student teacher record and also used as a validation of the supervisory function.

(3) A student teacher shall receive periodic and regular on-site observations and critiques of the actual teaching situation a minimum of four (4) times excluding seminars and workshops.

(4) The college supervisors shall be available to work with the student teacher and personnel in the cooperating school regarding any problems that may arise relating to the student teaching situation.

Section 6. Professional Experience. (1) In addition to the appropriate NCATE standards incorporated by reference under 16 KAR 5:010, the educator preparation institution shall provide an opportunity for the student teacher to assume major responsibility for the full range of teaching duties in a real school situation under the guidance of qualified personnel from the educator preparation institution and the cooperating elementary, middle, or high school. In placing the student teachers in classroom settings, the educator preparation program and the school district shall make reasonable efforts to place student teachers in settings that provide experiences, situations, and challenges similar to those encountered by first year teachers.

(2) Each educator preparation institution shall provide a full professional semester to include a period of student teaching for a minimum of twelve (12) weeks, full day, or equivalent, in school settings that correspond to the grade levels each and content area of the student teacher's certification program.

Section 7. Compensation of Cooperating Teachers. (1) The Education Professional Standards Board shall contract with the local school district, or make other appropriate arrangements, for the direct service of a cooperating teacher to each student teacher.

(2)(a) The educator preparation institution shall electronically submit a report of all cooperating teachers and their corresponding student teachers to the Education Professional Standards Board:

- 1. On or before October 15 for a cooperating teacher supervising a student teacher during the fall semester; or
- 2. On or before February 15 for a cooperating teacher supervising a student teacher during the spring semester.

(b) Each report shall include:

1. The number of contract weeks that the cooperating teacher is working with each student teacher for that semester;
2. The cooperating teacher's full name and certificate number;
3. The student teacher's full name, Social Security number, demographic data, and contact information;
4. The student teacher's preparation and certification area by assigned certification code;
5. The names and assigned codes of the school and school district where the cooperating teacher is employed and the student teaching requirement is being fulfilled. If the certified cooperating teacher is employed in a nonpublic school which meets the state performance standards as established in KRS 156.160 or which has been accredited by a regional or national accrediting association, the institution shall submit the name, assigned code, and address of the school.

(c) If an educator preparation institution fails to provide the report by the date established in paragraph (a) of this subsection, the Education Professional Standards Board shall not be liable for payment under this administrative regulation.

(3)(a) Upon receipt of the report, the Education Professional Standards Board shall submit a "Cooperating Teacher Payment Voucher" to each cooperating teacher.

(b) The voucher, or its electronic equivalent if available, shall be signed by the cooperating teacher, building principal, and the college supervisor as verification of the cooperating teacher's service to the student teacher.

(c) To be eligible for compensation under this administrative regulation, the cooperating teacher shall submit the completed voucher to the Education Professional Standards Board:

1. On or before December 15 for a cooperating teacher supervising a student teacher during the fall semester; or
2. On or before May 1 for a cooperating teacher supervising a student teacher during the spring semester.

(d) If a cooperating teacher fails to provide the completed voucher, or its electronic equivalent, by the date established in paragraph (c) of this subsection, the cooperating teacher shall not be eligible to receive any compensation available under this administrative regulation.

(4)(a) The payment to a cooperating teacher shall be determined based upon available funding allocated under the biennial budget bill and the total number of weeks served by all cooperating teachers reported for the fiscal year.

(b) The payment shall be allocated to a cooperating teacher based upon the number of weeks the teacher supervised a student teacher as reported in subsections (2) and (3) of this section.

(5) Payments to cooperating teachers shall be disbursed to the school districts or to cooperating teachers in nonpublic schools by the Education Professional Standards Board:

- (a) On an annual basis; and
- (b) On or before June 15.

(6) Compensation to cooperating teachers shall be provided under this administrative regulation if state funds are appropriated for this purpose. Payment of state funds under this administrative regulation shall:

- (a) Be a supplement to the compensation provided by an educator preparation institution to a cooperating teacher who is supervising an institution's student teacher; and
- (b) Not supplant the educator preparation institutions' compensation responsibility.

Section 8. Incorporation by Reference. (1) "Cooperating Teacher Payment Voucher", revised 7/2000, is incorporated by reference.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Education Professional Standards Board, 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m. (23 Ky.R. 4281; eff. 8-4-97; Am. 27 Ky.R. 1082; 1475; eff. 12-21-2000; 28 Ky.R. 2077; 2347; eff. 5-16-2002; recodified from 704 KAR 20:706, 7-2-2002; 33 Ky.R. 838; 1274; eff. 12-1-06.)

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Action Item, Waiver C

Action Item:

Waiver of the Cooperating Teacher Eligibility Requirements

Applicable Statutes and Regulation:

16 KAR 5:040, Section 2 (d)

Applicable Goal:

Goal 1: Every approved educator preparation program meets or exceeds all accreditation standards and prepares knowledgeable, capable teachers and administrators who demonstrate effectiveness in helping all students reach educational achievement.

Issue:

Should the Education Professional Standards Board grant a waiver of the cooperating teacher eligibility requirements?

Background:

Dr. Cathy Gunn, Dean, College of Education, Morehead State University, is requesting a waiver of 16 KAR 5:040, Section 2 (d), which requires a cooperating teacher to have taught in their present school system of employment for at least one year immediately prior to being assigned a student teacher on behalf of Mr. Robert Bishop. The request is for spring 2007.

This request is made in order to arrange dual level placement for a student teacher in the music education program at the Morehead State University. Mr. Bishop has taught for 15 years and has attained a Rank II. Because he transferred to the Fayette County School District this fall, he does not meet the one year employment requirement. Mr. Bishop comes recommended by her current principal at Tates Creek High School. He fully meets the all other requirements of the regulation

A copy of Dr. Gunn's letter, other supporting documentation, and the pertinent part of the regulation are attached.

Alternative Actions:

1. Approve the waiver request
2. Deny the waiver request

Contact Person:

Dr. Marilyn Troupe, Director
Division of Educator Preparation
(502) 564-4606
E-mail: marilyn.troupe@ky.gov

Executive Director

Date:

January 22, 2007

16 KAR 5:040. Admission, placement, and supervision in student teaching.

RELATES TO: KRS 161.020, 161.028, 161.030, 161.042

STATUTORY AUTHORITY: KRS 161.028, 161.030, 161.042

NECESSITY, FUNCTION, AND CONFORMITY: KRS 161.028 requires that educator preparation institution be approved for offering the preparation program corresponding to a particular certificate on the basis of standards and procedures established by the Education Professional Standards Board. KRS 161.030 requires that a certificate shall be issued to a person who has completed a program approved by the Education Professional Standards Board. KRS 161.042 requires the Education Professional Standards Board to promulgate an administrative regulation relating to student teachers, including the qualifications for supervising teachers. This administrative regulation establishes the standards for admission, placement, and supervision in student teaching.

Section 1. Definition. "Cooperating teacher" or "supervising teacher" means a teacher employed in a school in Kentucky who is contracting with an educator preparation institution to supervise a student teacher for the purpose of fulfilling the student teaching requirement of the approved educator preparation program.

Section 2. Cooperating Teacher Eligibility Requirements. (1) Except as provided in subsection (2) of this section, the cooperating teacher, whether serving in a public or nonpublic school, shall have:

- (a) A valid Kentucky teaching certificate for each grade and subject taught;
- (b) Attained Rank II certification;
- (c) At least three (3) years of teaching experience on a Professional Certificate; and
- (d) Taught in the present school system at least one (1) year immediately prior to being assigned a student teacher.

(2) If a cooperating teacher has not attained Rank II certification, the teacher shall have attained a minimum of fifteen (15) hours of approved credit toward a Rank II within a minimum period of five (5) years.

(3) Teachers assigned to a teaching position on the basis of a probationary or emergency certificate issued by the Education Professional Standards Board shall not be eligible for serving as a cooperating teacher.

(4) In selecting a cooperating teacher, the district shall give consideration to the following criteria:

- (a) A demonstrated ability to engage in effective classroom management techniques that promote an environment conducive to learning;
- (b) An ability to model best practices for the delivery of instruction;
- (c) A mastery of the content knowledge or subject matter being taught;
- (d) The demonstration of an aptitude and ability to contribute to the mentoring and development of a preservice educator;
- (e) An ability to use multiple forms of assessment to inform instruction; and
- (f) An ability to create a learning community that values and builds upon student's diverse cultures.

Section 3. Admission to Student Teaching. In addition to the appropriate sections of the National Council for Accreditation of Teacher Education (NCATE) standards which are incorporated under 16 KAR 5:010, each educator preparation institution shall determine minimum standards for admission to student teaching which shall include the procedures established in this section. Admission to student teaching shall include a formal application procedure for each teacher candidate.

(1) A record or report from a valid and current medical examination, which shall have included a tuberculosis test, shall be placed on file with the admissions committee.

(2) Prior to and during the student teaching experience, the teacher candidate shall adhere to the Professional Code of Ethics for Kentucky School Personnel established in 16 KAR 1:020.

Section 4. Teacher-student Ratio. The ratio of student teachers to cooperating teachers shall be one (1) to one (1).

Section 5. College Supervisor. (1) The college supervisor shall make periodic observations of the student teacher in the classroom and shall prepare a written report on each observation and share it with the student teacher.

(2) The observation reports shall be filed as a part of the student teacher record and also used as a validation of the supervisory function.

(3) A student teacher shall receive periodic and regular on-site observations and critiques of the actual teaching situation a minimum of four (4) times excluding seminars and workshops.

(4) The college supervisors shall be available to work with the student teacher and personnel in the cooperating school regarding any problems that may arise relating to the student teaching situation.

Section 6. Professional Experience. (1) In addition to the appropriate NCATE standards incorporated by reference under 16 KAR 5:010, the educator preparation institution shall provide an opportunity for the student teacher to assume major responsibility for the full range of teaching duties in a real school situation under the guidance of qualified personnel from the educator preparation institution and the cooperating elementary, middle, or high school. In placing the student teachers in classroom settings, the educator preparation program and the school district shall make reasonable efforts to place student teachers in settings that provide experiences, situations, and challenges similar to those encountered by first year teachers.

(2) Each educator preparation institution shall provide a full professional semester to include a period of student teaching for a minimum of twelve (12) weeks, full day, or equivalent, in school settings that correspond to the grade levels each and content area of the student teacher's certification program.

Section 7. Compensation of Cooperating Teachers. (1) The Education Professional Standards Board shall contract with the local school district, or make other appropriate arrangements, for the direct service of a cooperating teacher to each student teacher.

(2)(a) The educator preparation institution shall electronically submit a report of all cooperating teachers and their corresponding student teachers to the Education Professional Standards Board:

- 1. On or before October 15 for a cooperating teacher supervising a student teacher during the fall semester; or
 - 2. On or before February 15 for a cooperating teacher supervising a student teacher during the spring semester.
- (b) Each report shall include:

Agenda Book

1. The number of contract weeks that the cooperating teacher is working with each student teacher for that semester;
2. The cooperating teacher's full name and certificate number;
3. The student teacher's full name, Social Security number, demographic data, and contact information;
4. The student teacher's preparation and certification area by assigned certification code;
5. The names and assigned codes of the school and school district where the cooperating teacher is employed and the student teaching requirement is being fulfilled. If the certified cooperating teacher is employed in a nonpublic school which meets the state performance standards as established in KRS 156.160 or which has been accredited by a regional or national accrediting association, the institution shall submit the name, assigned code, and address of the school.

(c) If an educator preparation institution fails to provide the report by the date established in paragraph (a) of this subsection, the Education Professional Standards Board shall not be liable for payment under this administrative regulation.

(3)(a) Upon receipt of the report, the Education Professional Standards Board shall submit a "Cooperating Teacher Payment Voucher" to each cooperating teacher.

(b) The voucher, or its electronic equivalent if available, shall be signed by the cooperating teacher, building principal, and the college supervisor as verification of the cooperating teacher's service to the student teacher.

(c) To be eligible for compensation under this administrative regulation, the cooperating teacher shall submit the completed voucher to the Education Professional Standards Board:

1. On or before December 15 for a cooperating teacher supervising a student teacher during the fall semester; or
2. On or before May 1 for a cooperating teacher supervising a student teacher during the spring semester.

(d) If a cooperating teacher fails to provide the completed voucher, or its electronic equivalent, by the date established in paragraph (c) of this subsection, the cooperating teacher shall not be eligible to receive any compensation available under this administrative regulation.

(4)(a) The payment to a cooperating teacher shall be determined based upon available funding allocated under the biennial budget bill and the total number of weeks served by all cooperating teachers reported for the fiscal year.

(b) The payment shall be allocated to a cooperating teacher based upon the number of weeks the teacher supervised a student teacher as reported in subsections (2) and (3) of this section.

(5) Payments to cooperating teachers shall be disbursed to the school districts or to cooperating teachers in nonpublic schools by the Education Professional Standards Board:

- (a) On an annual basis; and
- (b) On or before June 15.

(6) Compensation to cooperating teachers shall be provided under this administrative regulation if state funds are appropriated for this purpose. Payment of state funds under this administrative regulation shall:

- (a) Be a supplement to the compensation provided by an educator preparation institution to a cooperating teacher who is supervising an institution's student teacher; and
- (b) Not supplant the educator preparation institutions' compensation responsibility.

Section 8. Incorporation by Reference. (1) "Cooperating Teacher Payment Voucher", revised 7/2000, is incorporated by reference.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Education Professional Standards Board, 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m. (23 Ky.R. 4281; eff. 8-4-97; Am. 27 Ky.R. 1082; 1475; eff. 12-21-2000; 28 Ky.R. 2077; 2347; eff. 5-16-2002; recodified from 704 KAR 20:706, 7-2-2002; 33 Ky.R. 838; 1274; eff. 12-1-06.)

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Action Item, Waiver D

Action Item:

Waiver of the Cooperating Teacher Eligibility Requirements

Applicable Statutes and Regulation:

16 KAR 5:040, Section 2, 2

Applicable Goal:

Goal 1: Every approved educator preparation program meets or exceeds all accreditation standards and prepares knowledgeable, capable teachers and administrators who demonstrate effectiveness in helping all students reach educational achievement.

Issue:

Should the Education Professional Standards Board grant a waiver of the cooperating teacher eligibility requirements?

Background:

Dr. Cathy Gunn, Dean, College of Education, Morehead State University, is requesting a waiver of 16 KAR 5:040, Section 2, 2 which requires that if the cooperating teacher has not attained the Rank II, they must have completed a minimum of 15 hours toward the Rank II within a minimum of 5 years on behalf of Ms. Mary Lyn Odicta. The request is for spring 2007.

This request is made in order to arrange dual level placement for a student teacher in the art education program at the Morehead State University. Ms. Odicta is currently teaching at Tilde Hogge Elementary School in the Rowan County School District. She will enroll in a Masters program in spring 2007 to begin working toward the required 15 hours for certificate renewal. She comes recommended by her principal and fully meets the all other requirements of the regulation

A copy of Dr. Gunn's letter, other supporting documentation, and the pertinent part of the regulation are attached.

Alternative Actions:

1. Approve the waiver request
2. Deny the waiver request

Contact Person:

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Executive Director

Date:

January 22, 2007

16 KAR 5:040. Admission, placement, and supervision in student teaching.

RELATES TO: KRS 161.020, 161.028, 161.030, 161.042

STATUTORY AUTHORITY: KRS 161.028, 161.030, 161.042

NECESSITY, FUNCTION, AND CONFORMITY: KRS 161.028 requires that educator preparation institution be approved for offering the preparation program corresponding to a particular certificate on the basis of standards and procedures established by the Education Professional Standards Board. KRS 161.030 requires that a certificate shall be issued to a person who has completed a program approved by the Education Professional Standards Board. KRS 161.042 requires the Education Professional Standards Board to promulgate an administrative regulation relating to student teachers, including the qualifications for supervising teachers. This administrative regulation establishes the standards for admission, placement, and supervision in student teaching.

Section 1. Definition. "Cooperating teacher" or "supervising teacher" means a teacher employed in a school in Kentucky who is contracting with an educator preparation institution to supervise a student teacher for the purpose of fulfilling the student teaching requirement of the approved educator preparation program.

Section 2. Cooperating Teacher Eligibility Requirements. (1) Except as provided in subsection (2) of this section, the cooperating teacher, whether serving in a public or nonpublic school, shall have:

- (a) A valid Kentucky teaching certificate for each grade and subject taught;
- (b) Attained Rank II certification;
- (c) At least three (3) years of teaching experience on a Professional Certificate; and
- (d) Taught in the present school system at least one (1) year immediately prior to being assigned a student teacher.

(2) If a cooperating teacher has not attained Rank II certification, the teacher shall have attained a minimum of fifteen (15) hours of approved credit toward a Rank II within a minimum period of five (5) years.

(3) Teachers assigned to a teaching position on the basis of a probationary or emergency certificate issued by the Education Professional Standards Board shall not be eligible for serving as a cooperating teacher.

(4) In selecting a cooperating teacher, the district shall give consideration to the following criteria:

(a) A demonstrated ability to engage in effective classroom management techniques that promote an environment conducive to learning;

(b) An ability to model best practices for the delivery of instruction;

(c) A mastery of the content knowledge or subject matter being taught;

(d) The demonstration of an aptitude and ability to contribute to the mentoring and development of a preservice educator;

(e) An ability to use multiple forms of assessment to inform instruction; and

(f) An ability to create a learning community that values and builds upon student's diverse cultures.

Section 3. Admission to Student Teaching. In addition to the appropriate sections of the National Council for Accreditation of Teacher Education (NCATE) standards which are incorporated under 16 KAR 5:010, each educator preparation institution shall determine minimum standards for admission to student teaching which shall include the procedures established in this section. Admission to student teaching shall include a formal application procedure for each teacher candidate.

(1) A record or report from a valid and current medical examination, which shall have included a tuberculosis test, shall be placed on file with the admissions committee.

(2) Prior to and during the student teaching experience, the teacher candidate shall adhere to the Professional Code of Ethics for Kentucky School Personnel established in 16 KAR 1:020.

Section 4. Teacher-student Ratio. The ratio of student teachers to cooperating teachers shall be one (1) to one (1).

Section 5. College Supervisor. (1) The college supervisor shall make periodic observations of the student teacher in the classroom and shall prepare a written report on each observation and share it with the student teacher.

(2) The observation reports shall be filed as a part of the student teacher record and also used as a validation of the supervisory function.

(3) A student teacher shall receive periodic and regular on-site observations and critiques of the actual teaching situation a minimum of four (4) times excluding seminars and workshops.

(4) The college supervisors shall be available to work with the student teacher and personnel in the cooperating school regarding any problems that may arise relating to the student teaching situation.

Section 6. Professional Experience. (1) In addition to the appropriate NCATE standards incorporated by reference under 16 KAR 5:010, the educator preparation institution shall provide an opportunity for the student teacher to assume major responsibility for the full range of teaching duties in a real school situation under the guidance of qualified personnel from the educator preparation institution and the cooperating elementary, middle, or high school. In placing the student teachers in classroom settings, the educator preparation program and the school district shall make reasonable efforts to place student teachers in settings that provide experiences, situations, and challenges similar to those encountered by first year teachers.

(2) Each educator preparation institution shall provide a full professional semester to include a period of student teaching for a minimum of twelve (12) weeks, full day, or equivalent, in school settings that correspond to the grade levels each and content area of the student teacher's certification program.

Section 7. Compensation of Cooperating Teachers. (1) The Education Professional Standards Board shall contract with the local school district, or make other appropriate arrangements, for the direct service of a cooperating teacher to each student teacher.

(2)(a) The educator preparation institution shall electronically submit a report of all cooperating teachers and their corresponding student teachers to the Education Professional Standards Board:

- 1. On or before October 15 for a cooperating teacher supervising a student teacher during the fall semester; or
- 2. On or before February 15 for a cooperating teacher supervising a student teacher during the spring semester.

(b) Each report shall include:

1. The number of contract weeks that the cooperating teacher is working with each student teacher for that semester;
2. The cooperating teacher's full name and certificate number;
3. The student teacher's full name, Social Security number, demographic data, and contact information;
4. The student teacher's preparation and certification area by assigned certification code;
5. The names and assigned codes of the school and school district where the cooperating teacher is employed and the student teaching requirement is being fulfilled. If the certified cooperating teacher is employed in a nonpublic school which meets the state performance standards as established in KRS 156.160 or which has been accredited by a regional or national accrediting association, the institution shall submit the name, assigned code, and address of the school.

(c) If an educator preparation institution fails to provide the report by the date established in paragraph (a) of this subsection, the Education Professional Standards Board shall not be liable for payment under this administrative regulation.

(3)(a) Upon receipt of the report, the Education Professional Standards Board shall submit a "Cooperating Teacher Payment Voucher" to each cooperating teacher.

(b) The voucher, or its electronic equivalent if available, shall be signed by the cooperating teacher, building principal, and the college supervisor as verification of the cooperating teacher's service to the student teacher.

(c) To be eligible for compensation under this administrative regulation, the cooperating teacher shall submit the completed voucher to the Education Professional Standards Board:

1. On or before December 15 for a cooperating teacher supervising a student teacher during the fall semester; or
2. On or before May 1 for a cooperating teacher supervising a student teacher during the spring semester.

(d) If a cooperating teacher fails to provide the completed voucher, or its electronic equivalent, by the date established in paragraph (c) of this subsection, the cooperating teacher shall not be eligible to receive any compensation available under this administrative regulation.

(4)(a) The payment to a cooperating teacher shall be determined based upon available funding allocated under the biennial budget bill and the total number of weeks served by all cooperating teachers reported for the fiscal year.

(b) The payment shall be allocated to a cooperating teacher based upon the number of weeks the teacher supervised a student teacher as reported in subsections (2) and (3) of this section.

(5) Payments to cooperating teachers shall be disbursed to the school districts or to cooperating teachers in nonpublic schools by the Education Professional Standards Board:

- (a) On an annual basis; and
- (b) On or before June 15.

(6) Compensation to cooperating teachers shall be provided under this administrative regulation if state funds are appropriated for this purpose. Payment of state funds under this administrative regulation shall:

- (a) Be a supplement to the compensation provided by an educator preparation institution to a cooperating teacher who is supervising an institution's student teacher; and
- (b) Not supplant the educator preparation institutions' compensation responsibility.

Section 8. Incorporation by Reference. (1) "Cooperating Teacher Payment Voucher", revised 7/2000, is incorporated by reference.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Education Professional Standards Board, 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m. (23 Ky.R. 4281; eff. 8-4-97; Am. 27 Ky.R. 1082; 1475; eff. 12-21-2000; 28 Ky.R. 2077; 2347; eff. 5-16-2002; recodified from 704 KAR 20:706, 7-2-2002; 33 Ky.R. 838; 1274; eff. 12-1-06.)

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Action Item, Alternative Route to Certification Application A

Action Item:

Alternative Route to Certification Application

Applicable Statutes and Regulation:

KRS 161.028, 161.030, 161.048
16 KAR 9:040

Applicable Goal:

Goal II: Every professional position in a Kentucky public school is staffed by a properly credentialed educator.

Issue:

Should the Education Professional Standards Board approve the alternative route to certification application(s)?

Background:

The following individual is requesting Adjunct certification on the basis of exceptional life/work experience:

Ms. Leonor Garnett, Adjunct for Spanish, Grades P-12

The application is under separate cover.

Alternative Actions:

1. Approve the alternative route to certification application
2. Modify and approve the alternative route to certification application
3. Do not approve the alternative route to certification application

Contact Person:

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Executive Director

Date:

January 22, 2007

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Action Item, Alternative Route to Certification Application B

Action Item:

Alternative Route to Certification Application

Applicable Statutes and Regulation:

KRS 161.028, 161.030, 161.048
16 KAR 9:010

Applicable Goal:

Goal II: Every professional position in a Kentucky public school is staffed by a properly credentialed educator.

Issue:

Should the Education Professional Standards Board approve the alternative route to certification application(s)?

Background:

The following individual is requesting certification on the basis of exceptional work experience:

Ms. Meredith Lewis, Vocal Music, Grades P-12

The application is under separate cover.

Alternative Actions:

1. Approve the alternative route to certification application
2. Modify and approve the alternative route to certification application
3. Do not approve the alternative route to certification application

Contact Person:

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Executive Director

Date:

January 22, 2007